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The Treatment of Adult Offenders and Children

by

The Courts of Berks County
Pennsylvania

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Introduction

THIS PAMPHLET is one of a series to be published by the PENNSYLVANIA COMMITTEE ON PENAL AFFAIRS, describing the treatment of criminals and delinquents in Pennsylvania and suggesting ways to make the most effective possible use of probation and parole in the treatment of certain types of offenders.

Logically, this pamphlet should have been preceded by the publication of the general report on the practice of probation and local parole throughout the State. This, however, has not proven feasible, although in order to insure soundness of judgment, the general survey was first made. Mr. Leon Stern, Secretary of Research and Field Studies, visited all the counties of the State, with the exception of Philadelphia with which he was more or less familiar, and made diligent inquiries into local conditions. In certain areas, owing to the request of local people, more intensive investigations were carried on by Mr. Stern, and to satisfy local interest the preparation of these special reports have taken precedence over the general one.

The report on Berks County is distinctive in the series because of the marked interest displayed by President Judge Paul N. Schaeffer of Berks County Courts. The survey was undertaken at his invitation, and the resulting suggestions presented with his approval. Citizens of Berks County may feel a just pride in the endeavors being made by the Court toward realizing the possibilities of probation. They will, of course, be able to gauge these efforts more satisfactorily when publication of the general report for the State provides a background against which to view the activities of their home county. This pamphlet is complete in itself, however, so far as it presents the picture of an effort of a county court to discard purely legalistic measures, and to utilize scientific and social resources, in order to exert directly its great influence in adjusting juvenile difficulties, and in restoring erring men and women to useful and law-abiding citizenship.

If this effort can be developed as it has been begun, Berks County may build up an experience which will point the way to one approach to the solution of the problem of reducing delinquency and preventing crime.

LOUIS N. ROBINSON, *Chairman,*
Pennsylvania Committee on Penal Affairs.

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Foreword

OUR COURTS constitute one of the chief instrumentalities utilized by society in its fight against crime. Their form of organization has for centuries remained rather constant; but available methods at the disposal of the courts have gradually increased. In most instances, imprisonment, either simple or at separate and solitary confinement, in local jails or in state penitentiaries, with or without hard labor, and with or without fines and money penalties, has been, during the past century and a half, substituted for capital punishment, lashings, brandings, etc., as the usual penalty for crime. To the various forms of imprisonment there has been added, during the last two decades in Pennsylvania, the instrumentalities of probation and parole.

It is apparent that either society's views of crime or its views of what are, under all circumstances, the most effective means to use to combat lawlessness, have been changing. It may be that we are beginning to regard many offenses as social rather than as legal problems. At any rate none of us are certain that the means, used from time to time, are the best and most effective means to be found to bring about a reduction of crime, and today the greatest need in studying the problem of the treatment of crime is reliable and informative statistics. We do not know whether or not, with all our changes in methods, we are making progress in the direction desired. We do not have the facts with which to apply any scientific test. Is crime actually increasing or is it not? Are our offenders today younger on the average than those of a generation or two ago? Are our youth who commit offenses continuing in a career of crime after their first conviction? Does severity of sentence deter others from crime? Is probation effective? Is parole effective? Can a system of probation or parole succeed in the absence of an adequate number of skilled probation officers to supervise the probationers and parolees?

No serious attempt is made in the study herewith presented to answer all of these queries. No sufficient records exist from which the answers can be found. This study is rather a preliminary survey of the court of our county over a period of three years during which five or six men sat as judges. The survey has been made by Mr. Leon Stern, of the PENNSYLVANIA COMMITTEE ON PENAL AFFAIRS, at the request of the President Judge of the Court. It is hoped that it will lead to a fuller understanding of the problems of the Court and to the establishment of adequate records from which the efficacy of the various measures used by the Court may ultimately be judged.

The cost of the publication of this report has been defrayed by the PENNSYLVANIA COMMITTEE ON PENAL AFFAIRS and by certain citizens of Berks County who are interested in the common well-being.

PAUL N. SCHAEFFER,
President Judge of 23d Judicial District.

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I. The County and Its People

Historical Background

Berks County is in the southeastern part of Pennsylvania, in the valley of the Schuylkill River. It was created in 1752, its territory being taken from northern parts of Philadelphia, Chester and Lancaster Counties. The county was called Berks after Berkshire in England, the home of William Penn, who at one time owned all the land within its boundaries. The Pennsylvania-Germans who settled Berks County and developed it were associated with the founders of the colony of Pennsylvania. Of these Pennsylvania-Germans the Historian Montgomery says: "The great majority of the early settlers of Berks County were Germans, and through them their language, manners and customs became predominant. Most of them remained here and to a great degree where the families first settled and prospered . . . and the general features of the whole community bear their impression. Their manners and customs have been handed down with little if any change; and their language is still in general use in every section."[1]

Religious Sects

Many religious sects were represented among the early settlers of Berks County: Reformed, Lutherans, Dunkards, Friends, Mennonites, Roman Catholics, the Amish (a branch of the Mennonites), Baptists, Moravians, and communicants of the Protestant Episcopal and Evangelical Churches. Most of the followers of these various sects were immigrants who had left Germany because of religious persecution.

Topography

The boundary lines of the county form a figure somewhat like a diamond. The Schuylkill River divides the county into two fairly equal divisions. The county is well watered and well adapted to farming.

Agricultural Area

The present area of Berks County consists of 553,600 acres of land, of which 77.1 per cent are developed for farm purposes. There were 6,089 farms each having an average size of 58.3 acres reported in 1920, according to the Fourth Industrial Directory published by the Department of Internal Affairs of the State of Pennsylvania, 1922.[2] Farming remains a most important industry. Fine barns, buildings and fields are prominent in every locality.

[1] History of Berks County, by Morton L. Montgomery.
[2] Fourth Industrial Directory, 1922, p. 676.

Demography

The population of Berks County, according to the United States Bureau of Census Report for 1920,[1] was 200,854. 168,051, or 83.7 per cent, were of native-born parentage; 19,531, or 9.7 per cent, were of foreign or mixed parentage; 12,097, or 6 per cent, were foreign born; and 1,165, or .6 per cent, were negro. The population is, therefore, still preponderantly of the original Pennsylvania-German stock. There is no large foreign-born group to present a populational or racial problem in the County of Berks or its metropolis, Reading, since only 6 per cent of the residents of the county are foreign-born.

Urban Population

More than 60 per cent of the residents of the county live in towns and cities. Although there are a number of important towns, Reading, the county seat, absorbs most of the urban population. More than 50 per cent of the entire population of the county reside in Reading. Berks, therefore, may be said to be an agricultural county, with a large industrial town as its metropolis and mart of exchange.

The county has a homogeneous population, generation succeeding generation upon many homesteads, and others prospering in various manufacturing pursuits in Reading and the other cities and towns of the county. Many forms of industry were developed and Reading, the county seat, soon became an important city due to early railroad development and the city's close proximity to the vast coal fields of the State. Iron industries were developed at an early date in the county.

Industry

Of a total of 49,563 men and women engaged in industry in Reading, where nearly all the county's industries are to be found, 43,267 were native white, 5,790 were foreign-born white, and 494 were negro. Most of these, about 75 per cent of the men and 60 per cent of the women, were engaged in the manufacturing or mechanical industries.[2]

II. Administration of Berks County

Berks County is classified as a fourth class county and is divided into 44 townships. There are 21 boroughs, and one third-class city, Reading, whose population is almost large enough to make it a second-class city.

County Officers and Departments

The county officers in charge of the county's administrative policies are the four judges (three judges of the Common Pleas and Quarter Sessions Courts and one judge of the Orphans' Court), the prothonotary in charge of the records of the Common Pleas Court and custodian of civil

[1] Vol. III, p. 859.

[2] The figures are from the United States Bureau of the Census Report for 1920, Vol. IV, p. 368, 1207-1208.

records, the recorder of deeds, the clerk of the Orphans' Court (who is also register of wills), the clerk of the Quarter Sessions or Criminal Court, the controller, the three county commissioners, the sheriff, the county detective, the warden of the county prison, the prison inspectors, the directors of the poor, the trustees of the Mothers' Assistance Fund, and four probation officers.

The offices of the directors of the poor, the Mothers' Assistance Fund and the probation officers are located in the Court House at Reading, where the other county officials are located. The county prison is in the heart of the City of Reading in its public park. The County Home, however, is located at Shillington.

III. The Courts of Berks County

Berks County was organized for judicial purposes in 1791 as part of the third judicial district, 39 years after the establishment of the county. The County of Berks was erected into a separate judicial district by the Act of April 5, 1849 and called the twenty-third district, the present district.

Courts of Record

The county has four courts of record: The Court of Common Pleas, for hearing civil causes; the Orphans' Court, which deals with wills, estates and adoptions; the Court of Quarter Sessions and General Jail Delivery, and the Court of Oyer and Terminer, both of which are for the trial of criminal causes, the Court of Oyer and Terminer being for the trial of the graver offenses. Other offenses, including non-support and desertion cases are heard in the Court of Quarter Sessions. The Juvenile Court is a Divisional Session of the Court of Quarter Sessions.

Judges elected to the Common Pleas Court also preside over the Court of Quarter Sessions and the Court of Oyer and Terminer. The senior judge in point of service is the President Judge of these Courts. The judge of the Orphans' Court bench, however, is elected separately to that position.

Courts Not of Record

There are also courts, *not of record,* called justice of the peace courts in townships and aldermen's courts in the city wards. These courts are presided over by lay judges having a very limited civil jurisdiction and some summary jurisdiction in minor offenses. Their most important function in criminal matters is to bind over individuals for hearing in the Quarter Sessions Court.

IV. The Quarter Sessions Court and the Treatment of Delinquency and of Social Problems

This study deals with the treatment of the social problems of Berks County, by its courts and its penal officials, with special reference to the work of the probation and parole officers appointed by the judges and

attached to the Court of Quarter Sessions for use in the social treatment of delinquents and for the care and supervision of children. The Quarter Sessions Court has wide jurisdiction in cases of crimes, offenses against the penal law, family problems and the oversight of children, whether they are in need of the State's protection as delinquent children or as incorrigible, neglected or dependent children. Under the common law and under the penal code of 1860, with its amendments and supplements, the Quarter Sessions Court has jurisdiction over crimes and misdemeanors; under the poor law and the Acts of 1867 and 1895, with their amendments and supplements, it adjudicates questions of non-support and desertion of wife, family, children, and incapacitated parents; under the laws concerning children and under the Act of 1903, with its amendments and supplements, it deals with children except where questions of adoption are involved which must come before the Orphans' Court; and, finally under the Act of 1860 and its modifications, the Quarter Sessions Court has jurisdiction in proceedings concerning illegitimacy. The regular procedure in these different types of cases is outlined below:

Procedure

(1) *Criminal procedure.* The steps in criminal procedure after an arrest for a crime or misdemeanor consist of a preliminary hearing before a magistrate, justice of the peace or alderman. Unless convicted summarily in cases of petty offenses, offenders held for Quarter Sessions Court are either released on bond, or detained in jail until the time for hearing in criminal court arrives. Offenders are not brought to trial in criminal court unless a *prima facie* case is made out and the grand jury finds a true bill. The trial except in cases of petty offenses is a jury trial. If the jury convicts, the judge has it within his discretion to send the convicted individual to one of the State prisons, to a reformatory, or to the county penal institution, depending on the nature of the offense and the statutory provision made for punishment. He may also fine, assess costs, suspend sentence, and substitute probation for custodial care, or he may release on parole after a period of custodial care. He may also release an individual on probation or parole to pay costs or fine in installments to a probation officer.

(2) *Juvenile procedure.* When children arrested for offenses are brought before a justice of the peace, alderman, or magistrate, these officials have no authority over them except to dismiss or hold for Juvenile Court. Children's cases in Berks County are heard in the judge's chambers, apart from the regular cases. There is no jury trial and no indictment by grand jury. The judge makes a decision unaided except by the report of a probation officer. A child is not considered a criminal and therefore is not convicted of a crime. He is simply adjudged delinquent. The judge may send the child to an institution for children, release him on probation, fine the parents, or release on parole after a period of institutional treatment.

The judges who hear juvenile cases, in addition to their authority over delinquent children, also have authority over dependent children, incorrigible children, and neglected children. These children, as well as those who are accused of delinquency, may be brought into court on petition of a

parent, next friend, or a citizen. Even in the case of a delinquent, the petition is made directly to the juvenile division of the court and a proceeding before a magistrate is not necessary.

Probation officers supervise children brought to court in all classes whether they are dependent, neglected, incorrigible or delinquent. They also make investigations for court in all these types of cases prior to hearing, whenever required to do so by the judge.

(3) *Non-support procedure.* Non-support proceedings are begun by filing an information in the justice of the peace or alderman's court after which the "squires" bind the defendant over for the County Court (Quarter Sessions). Hearings in cases of family non-support, whether of wives, children, or aged parents, are conducted by the Quarter Sessions Court without a grand jury indictment, and are heard without a petit jury. The orders made for support in these cases are collected with the aid of desertion probation officers. The judges hearing these cases have wide powers to modify sentence and may change the order from time to time or punish violators of the order of the court if they fail to obey the conditions of their probation.

(4) *Fornication and bastardy procedure.* For this procedure, which is a regular criminal procedure to determine the paternity of an illegitimate child, a grand jury indictment is required, and a jury trial is necessary. The defendant, however, may waive his right to such a proceeding. If he does so, an order is made by the judge without these formalities. A fine may be imposed, a support order for the child be made, and an order for lying-in expenses of the mother, and funeral expenses of the child if it dies, be granted after conviction or an acknowledgment of paternity to the court.

The Judges and the Quarter Sessions Court

The judges of the county are: Hon. Paul N. Schaeffer, President Judge; Hon. John B. Stevens, Hon. H. Robert Mays, and Hon. Frederick A. Marx. These judges try cases listed in the Quarter Sessions and Oyer and Terminer Courts, and conduct hearings in the Juvenile session. The cases of adult offenders, wives and others suing for support, and of children brought in on petition or through the lower courts are heard by these judges. Judge Marx is the judge especially in charge of the Orphans' Court.

There are four Quarter Sessions and four Oyer and Terminer Sessions held each year, in March, June, September and December. The children's cases are not listed for stated sessions, but are heard whenever necessary in judge's chambers. The non-support cases are also heard in a special hearing room.

V. Probation Officers

Laws Concerning Appointment

The probation officers are appointed, according to the statutes, by the judges sitting in Quarter Sessions Court to serve in connection with individuals coming before the court who may be placed on probation or

paroled from the county jail by the judges. These probation officers deal with adult offenders in criminal, non-support and desertion cases, and with children brought before the juvenile session on charges of delinquency, incorrigibility, dependency or neglect. The lower courts, whether magistrates' or aldermen's courts, have no power to appoint probation officers either for the purpose of making investigations or to supervise individuals, since they do not have the authority to use probation. The judges of the Quarter Sessions Court have authority to appoint probation officers for children under the Act of 1903[1] with its supplements, and to appoint probation officers for adults under the probation and parole Acts of 1909 and 1911[2] with their supplements. Under these last two acts, probation officers for adults may act as parole officers for adults. The judge may also, under the Act of 1913,[3] appoint desertion probation officers to collect support orders and to otherwise supervise probationers in non-support and desertion proceedings. Their functions have been subsequently extended to include the collection of support orders made for children in juvenile proceedings and in illegitimacy proceedings.

According to Pennsylvania law, the man or woman to be appointed as a probation officer must be "a discreet person of respectable character." There are no other requirements and no civil service examination is provided for appointment. The law also stipulates that women probationers must be supervised by women, and men probationers must be supervised by men. The maximum salary for juvenile probation officers is fixed by statute at $1,800.00 per annum. There is no maximum for adult or desertion probation officers.

Duties

The work of the probation officers appointed by the Berks County Court consists of: (1) making social investigations for the judges to enable them to make wise decisions and to enable the probation officers to make plans for the probationers or parolees; and (2) giving social treatment to men, women and children on probation or parole. Social treatment consists of: (a) making individual adjustments that will enable offenders to take their places in normal family and social life; (b) co-ordinating the resources of the community, social, medical, psychological, recreational, employment, so that the proper adjustment of offending individuals may be made; (c) making collections of support orders. The social treatment of adults or children under supervision on probation does not differ essentially from the supervision of adults or children on parole.

The probation work of the county is in charge of four probation officers,[4] three men and one woman, appointed by the judges of the court.

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[1] Act of April 23, 1903, P. L. 274.

[2] Act of May 10, 1909, P. L. 495; June 19, 1911, P. L. 1055; June 19, 1911, P. L. 1059.

[3] Act of June 12, 1913, P. L. 502.

[4] See page 53, note under Adult Probation and Parole Officer.

Two of the men probation officers, connected with the non-support office, Scott M. Rapp and William M. Dunkelberger, deal with non-support cases only and the collection of orders from husbands upon whom support orders were assessed. These officials do not deal with other types of probation cases nor with parolees. Their work consists altogether of collections and investigations. The other two probation officers, Mrs. Fred Lambert and Peter Schrack, deal with children and adults on probation and parole. The bulk of their work is with children. They make investigations for the court and supervise probationers and parolees. Mrs. Fred Lambert is in charge of this work.

Training and Equipment of Probation Officers

Mrs. Lambert has previously been in Red Cross work; Mr. Schrack was a church settlement worker with boys, and Messrs. Rapp and Dunkelberger have had business experience. Mrs. Lambert is interested in case methods and has supplemented her experience by training and attendance at case conferences.

Probation Records

The probation office dealing with children and adults on probation and parole keeps complete social case records. The office also has a secretary-stenographer.

Administration of Probation Work

The work of this office is divided so that Mrs. Lambert in addition to supervising the probation work, deals with the women and girls placed on probation and parole, while Mr. Schrack supervises men and boys, collects fines and costs in installments and support orders in juvenile cases.

The non-support office keeps no records except of financial receipts of collections from husbands and of payments to their beneficiaries.

There is no file of social records in the non-support office. Mr. Dunkelberger makes investigations of as many cases as possible in advance of hearing when requested to do so by the court and submits his report in each case to the judge. No forms or "face sheets" are used but the reports are of great assistance to the judge. Judge Schaeffer states: "It is our desire to have some investigation made of all non-support cases before hearings, but a practical difficulty presents itself in these cases in that the aldermen and squires bind the defendant over to the very next session of non-support court, which occurs twice a month, and the cases oftentimes are not returned until 24 or 48 hours before this court is held. Consequently Mr. Dunkelberger does not have an opportunity to investigate these that are returned so late. We are considering a modification of this practice by continuing such cases until the *next time.*" There is a difficulty to be met here, however, that the families will then be without support for several weeks. This situation will have to be coped with through contact with the justices of the peace, the aldermen, and the social agencies.

VI. Social Resources of Berks County

Public Agencies

The official agencies of the county, which co-operate with the Quarter Sessions Court, its judges and probation officers, for the treatment of crime and delinquency in Berks County are: the county courts and the court officials, the district attorney's office, the sheriff's office, the county detective's office, the city and borough police, justices of the peace, aldermen, constables, and the officials of the county prison where prisoners are detained to await trial or are committed to serve a term of imprisonment. The official agencies which co-operate with the court in the treatment of family and children's problems are: the county commissioners, the school authorities, the health authorities, the Boys' Home, the police, etc. The private agencies also co-operate with the court in the treatment of crime and delinquency as well as in the treatment of desertion, non-support, and the problems involving neglected, dependent and incorrigible children.

Social Problems and Social Agencies

The social problems of the county are those normal to a county with a homogeneous population having only one large industrial city with a small foreign-born population. The civic organizations, private social agencies and private institutions of the county cover a wide range, dealing with children, families, material aid, employment, health, institutions for children and adults, shelter and rescue, recreation, legal aid, and public schools. The organizations under each classification and the type of service each renders are given below. All of them center their work in Reading. Members of the Welfare Federation are marked (W).

Children:

- Children's Aid Society (W)—dependent and neglected children; home-finding and supervision.
- Lutheran Children's Bureau (W)—neglected children, home-finding and supervision.
- Children's Conservation League (W)—Reading and Kutztown general child welfare work.

Families:

- Social Welfare League (W)—case work and relief work, socially handicapped families.
- Jewish Welfare League (W) (Ladies' Hebrew Charity League)—case work and temporary shelter for Jewish families.
- Red Cross (W)—family problems of ex-servicemen.
- Mothers' Assistance Fund (W)—case work with widows and their children.

Material Aid:

- Directors of the Poor—relief.
- Social Welfare League (W)—relief.
- Catholic Women's Union—relief for families, shelter for girls. (St. Paul's Catholic Welfare League.)
- Lutheran Inner Mission Society—medical, legal and material aid.

Needlework Guild (W)—clothing for hospitals, homes and other charities.
St. Vincent de Paul Society—relief work in St. Peter's Roman Catholic Parish.
Salvation Army (W)—religious meetings, relief, and temporary shelter.
Sisterhood of Oheb Sholom (W)—religious activities and relief.

HEALTH—

FIELD AGENCIES:

Reading Tuberculosis Society—public health nurses in city and county with contact cases and undernourished children.
Red Cross (W)—health work in rural schools. Public health nurses visit children in homes to follow up recommendations of school physician.
Visiting Nurse Association (W)—nursing service, bedside care, prenatal work with mothers, baby clinics, and a camp for undernourished children.

HOSPITALS:

Homeopathic Hospital (W).
Reading Hospital (W).
St. Joseph's Hospital (W).
(All these hospitals have social service departments and clinics, including genito-urinary clinics.)

SANATORIA:

Berks County Sanatorium for Tuberculosis (W).

CLINICS:

Pennsylvania State Genito-Urinary (Homeopathic Hospital and House of Good Shepherd).
Pennsylvania State Tuberculosis Dispensaries—operated by Reading Sanatorium for treatment of tuberculosis (W).
Elks Clinic (W)—for crippled children, Reading Hospital (W).
Mental Health Clinic (W)—at St. Joseph's Hospital (W).
State furnishes a psychologist and a psychiatrist. Make diagnoses and recommendations.
(The clinics are at the service of judges, penal officials, probation officers, social agencies and citizens.)

SHELTER AND RESCUE:

Beulah Anchorage (W)—women.
Hope Rescue Mission (W)—homeless and transient men; religious services, lodging and work.
House of Good Shepherd—training school for girls and women through court commitment or otherwise. Treatment for venereal disease.
Salvation Army (W)—emergency rooms for women and children.

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INSTITUTIONS FOR CHILDREN AND ADULTS:

CHILDREN:

Bethany Orphans' Home (Reformed Church)—for boys and girls.
Beulah Anchorage (W)—girls; court commitment or otherwise.
Boys' Home—boys, a county institution, court commitment or otherwise.
Home for Friendless Children—boys and girls.
St. Catherine's Orphanage (W)—Catholic boys and girls.
St. Francis Orphanage—Catholic girls.
Topton Orphans' Home (Lutheran Church)—boys and girls.

ADULTS:

Home for Widows and Single Women (W).

RECREATION:

City of Reading, Recreation Department—playgrounds, community events, athletics, recreational programs for hospitals, institutions or orphanages; county correlation work with Welfare Federation.
Junior League House (W)—club house for boys and young men.
Olivet Boys' Club—religious, social and athletic activities.
Salvation Army (W)—gymnasium.
Young Women's Christian Association (W)—religious, social, educational, athletic activities.
Young Men's Christian Association—religious, social, educational, athletic activities.

EMPLOYMENT:

Catholic Women's Union.
Hope Rescue Mission (W).
State Bureau of Employment.

LEGAL AID:

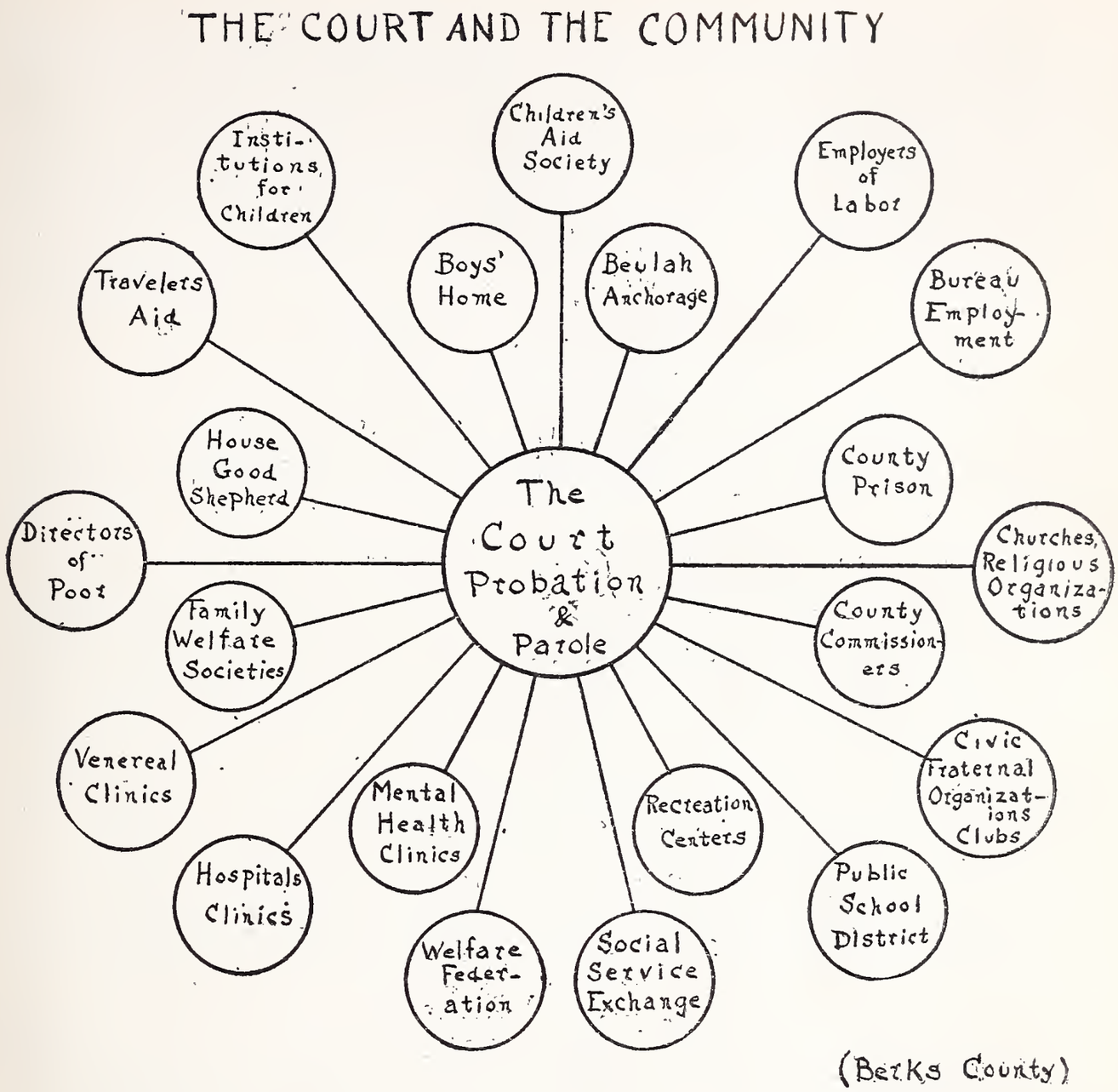
Legal Aid Committee.
Lutheran Inner Mission Society.

PUBLIC SCHOOLS:

Special classes for handicapped and defective children.
Truant officers.

Council of Social Agencies

Most of the private case-working and social agencies which are usually called into co-operation with the court, penal officials and probation officers in the treatment of delinquent adults and children as well as the problems of the neglected wives and children, are members of the Welfare Federation. The Council of Social Agencies consists of the constituent agencies of the Welfare Federation and the public officials of the county operating through functional groups for the improvement of social welfare conditions in the county.



Social Service Exchange

The Welfare Federation also operates a Social Service Exchange, which is a central clearing house of individuals coming to the attention of social agencies in Reading and Berks County. The correlating and co-ordinating activities of these two organizations help the workers of the public agencies and the penal and court officials in their tasks of dealing with crime, delinquency and maladjustment. The President Judge of the Berks County Court is a leader in the Welfare Federation activities.

Welfare Federation

The Welfare Federation raises funds for the private agencies regardless of sectarian lines, correlates the work of the agencies and helps establish new agencies needed by the community. The well established contacts between the Welfare Federation and its constituent agencies with the public service agencies is an outstanding feature of the social service work of the county, all the more note-worthy because the situation is by no means usual in the State.

There are a number of civic clubs and organizations of women and men that are members of the Welfare Federation; among them are the Woman's Club, the Business and Professional Women's Club, the Quota Club, the Elks, the Kiwanis, the Lions, the Rotary Club, and the Ministerial Association. These clubs and associations have programs that touch upon or include the prevention or treatment of delinquency. There is a Prison Economy Committee interested in prison matters.

VII. Method of Study

(a) *The use of court records and dockets.* This study has been made from the various dockets and records which the court and its officers keep: the adult cases, the juvenile cases, and the non-support and desertion cases.

Adult Criminal Cases

The court records for adult criminal cases are found in the Commonwealth's docket (the Quarter Sessions docket) and the Oyer and Terminer docket. The Oyer and Terminer docket is no longer kept separately, but is combined with the Quarter Sessions docket. The docket gives the names of the defendant and plaintiff; the charge and the court disposition; if there is a commitment, the institution to which the prisoner has been committed is given; the term of the sentence; the amount of the fine; and whether sentence was suspended or probation was used. The date of action is also given. The Miscellaneous docket contains all modifications of sentences, including paroles from the County Prison and discharges as insolvents from that institution. These dockets are kept in the office of the court clerk.

Non-Support Cases

The court records for non-support cases are found in the Commonwealth's docket (Quarter Sessions docket) and in the records of the desertion probation officers. The amount of order and sentence is recorded in the docket; and the records of payments are kept by the desertion probation officers.

Juvenile Cases

Children's records are found in the District Attorney's docket, in the Juvenile docket in the office of the clerk of the Quarter Sessions Court, and in the probation office. All dispositions are entered on the dockets, while the records of the social treatment given are found in the probation records.

(b) *The approach to the problems.* These three different types of problems coming to the Quarter Sessions Court were considered from three aspects, the individual problems, dispositions made by the judges, and facilities for treatment accorded while on probation or parole, or under custodial care, etc. Thus a study was made of the stream of cases, then followed an analysis of the dispositions with special reference to the use of probation and parole, and finally the equipment for custodial treatment was examined. This meant an investigation of the work of the probation and parole staff: (1) the adult and juvenile staffs (which are combined);

and (2) the non-support staff. The character of the custodial care in the local county prison, the Boys' Home, etc., was also studied. The co-operation of the court with the county social agencies was analyzed because it must be assumed that the treatment of delinquency in both adults and children and of social maladjustments of families is a community problem requiring the concerted action of all the social forces of the county. Therefore the records of the private social agencies were examined to correlate the information which they possessed with the data which the court had concerning the same cases.

VIII. Adult Offenders

A. Offenders and Types of Offenses. (The Stream of Cases.)

In studying the stream of cases of adult offenders, the years 1923 and 1925 were used for the purpose of comparison. These years were chosen so as to permit an interval to elapse for the study of results to date. The docket records of all cases in both years were read and classified not according to offenses but according to individual offenders—no individual was counted more than once. A social classification of offenses was made according to the following grouping:

Group I.

Aggression personal: Assault, assault and battery, assault and battery with intent, felonious assault, felonious assault and battery, aggravated assault and battery, felonious wounding, felonious cutting, felonious shooting, carrying concealed deadly weapons, fire arms, pointing pistol, shooting with intent, mayhem, kidnapping.

Group II.

Conduct personal: Disorderly conduct, disorderly house, surety of the peace, disturbing meeting, riot, slander, common scold, libel.

Group III.

Aggression sex: Assault to rape, assault and battery to rape, rape, statutory rape, incest, buggery, rape and bastardy, taking female child under 16, sodomy, enticing minor child.

Group IV.

Conduct sex: Adultery, adultery and bastardy, abortion, fornication, fornication and bastardy, assignation and prostitution, bawdy house, inmate bawdy house, causing death of bastard child, bigamy, open lewdness, indecent exposure, seduction, obscenity, pandering.

Group V.

Aggression family: Cruelty to children, neglect of children, neglect, abuse of child.

Group VI.

Conduct family: Non-support, desertion and non-support, desertion, non-support illegitimate child, non-support minor child, non-support aged parents.

GROUP VII.

Aggression property: Arson, burglary, possessing burglar's tools, highway robbery, robbery with arms, larceny, larceny and receiving stolen goods, breaking and entering, entering without breaking, felonious entry, entering freight car, forcible detention, larceny of auto, larceny from the person, malicious mischief, treason.

GROUP VIII.

Conduct property: False pretense, fraud, fraudulent conversion, forgery, larceny by bailee, embezzlement, conspiracy, blackmail.

GROUP IX.

Highway offenses: Auto laws—violation of, reckless driving, operating auto while intoxicated, operating auto without permission of owner, failure to render aid.

GROUP X.

Liquor: Possessing, manufacturing, selling, transporting, delivering.
Narcotics: Possessing, furnishing, selling.
Morphine: Possessing, furnishing, selling.

GROUP XI.

Offenses against Government and Government regulations: Bribery, extortion, perjury, trespassing, counterfeiting, official misconduct, violation of laws of health, food, medicine, dentistry, election laws, resisting officer, obstructing process, breaking jail, hindering a witness.

GROUP XII.

Homicide: Murder, manslaughter, involuntary manslaughter.

GROUP XIII.

Miscellaneous: Tampering with auto, mining laws, nuisances, junk dealers, selling cigarettes to minors, having vicious dog, alien possessing dog, alien possessing fire arms, accessory to or after the fact.

In the following tables, A, B, and C, the stream of cases is analyzed and the number and kinds of offenders for the years 1923 and 1925 are shown under the thirteen classifications. It will be seen that the number of serious crimes is comparatively not very high. The court's problem is not one of handling bandits and gunmen. Most of the crimes tried in this court which could be classed as aggression personal crimes were assault and batteries and street brawls; those that could be classed as aggressions against property were larcenies and petty thefts. Of the cases in both the Quarter Sessions and the Oyer and Terminer Courts, in the year 1923 only 15 per cent of all the crimes tried were crimes of violence. These represented 27 per cent of the total convicted offenders. In the year 1925, 12 per cent of the total number in both courts, or 24 per cent of the total convicted, were for crimes of violence.

Table A. Offenders Brought Before the Quarter Sessions Court of Berks County, Classified According to the Type of Offense, 1923

	Total	Not Sentenced	Convicted Offenders
Total offenders	821	359	462
I. Aggression personal group	114	77	37
II. Conduct personal group	34	27	7
III. Aggression sex	18	8	10
IV. Conduct sex	66	29	37
V. Aggression family	..	..	..
VI. Conduct family	274[1]	82	192
VII. Aggression property	125	48	77
VIII. Conduct property	62	47	15
IX. Highway offenses	30	13	17
X. Liquor	74	13	61
XI. Offenses against Government and Government regulations	7	4	3
XII. Homicide group	8	6	2
XIII. Miscellaneous offense group	9	5	4

Table B. Offenders Brought Before the Quarter Sessions Court of Berks County, Classified According to the Type of Offense, 1925

	Total	Not Sentenced	Convicted Offenders
Total offenders	1,037	526	511
I. Aggression personal group	123	100	23
II. Conduct personal group	40	31	9
III. Aggression sex	27	17	10
IV. Conduct sex	73	33	40
V. Aggression family	..	..	..
VI. Conduct family	349[1]	100	249
VII. Aggression property	170	78	92
VIII. Conduct property	94	69	25
IX. Highway offenses	41	26	15
X. Liquor	104	64	40
Drugs	3	..	3
XI. Offenses against Government and Government regulations	5	3	2
XII. Homicide group	6	4	2
XIII. Miscellaneous offense group	2	1	1

[1] This group is composed almost entirely of non-support and desertion cases. These offenders in the majority of cases are criminals only by a technicality.

Table C. Graver Crimes in Berks County: Oyer and Terminer and Quarter Sessions Courts, 1923 and 1925

Total offenders	Total	Aggression Personal	Aggression Sex	Aggression Property	Homicide
Both Courts, total 1923....	271	114	18	126	13
1925....	328	123	27	170	8
Quarter Sessions Court:					
1923	265	114	18	125	8
1925	326	123	27	170	6
Oyer and Terminer Court:					
1923	6	..	..	1	5
1925:	2	..	..	..	2
Total convicted					
Both Courts, total 1923....	128	37	10	78	3
1925....	127	23	10	92	4
Quarter Sessions Court:					
1923	126	37	10	77	2
1925	127	23	10	92	2
Oyer and Terminer:					
1923	2	..	..	1	1
1925	2	..	..	..	2

B. The Aim of Court Action as Related to the Disposition of Cases.

Before studying the dispositions made by the judges of the Berks County Court sitting as Quarter Sessions judges in criminal cases, it might be well to consider the aim of court action. We shall assume in this study that the most important aims of judicial action are to protect society and to adjust the delinquent to society if that is possible. To accomplish this the judge may place on probation, fine, commit to an institution, liberate conditionally on parole after a period of incarceration, or discharge as insolvents those who after a stay in prison cannot pay their fines.

(1) *Custodial care.* Commitment to an institution implies that milder treatment is either not possible for the particular offender, or is not deserved. However, the institution should be so equipped that the offender will be helped during his stay there.

(2) *Fine.* A fine is punishment intended to warn and to punish by deprivation of material goods (money). It is used in mild cases.

(3) *Suspended sentence.* Suspended sentence is the suspension of the *execution* of a sentence in the case of an adult, pending good behavior. An individual under suspended sentence may be sentenced at any time

prior to the expiration of what might have been his term of imprisonment had he been sentenced at the time of conviction. Violation of the conditions under which the suspended sentence was imposed, or the commission of a new offense, makes the individual liable to be called up for sentence. Its use is seldom of value without probation supervision.

(4) *Probation* is the supervised care given an individual in his own home by a probation officer who is either paid for the service by the county or by a private association or who serves as a volunteer. Probation gives young or reformable offenders a chance to make good and is a substitute for prison. To serve this aim best, it should carry with it supervision of the offender by a *trained* probation officer. It is much more effective when it is preceded by a study of the offender made before probation is imposed, together with an investigation of the environmental factors in the case.

(5) *Probation in non-support cases.* Probation in non-support cases is used for the collection of support orders made by the court against husbands, fathers, or children able to support aged or incapacitated parents. Such probation should involve supervision and adjustment of the family problem, but usually goes no further than seeing that the court's order of support is carried out and that moneys paid to the court in support orders are turned over to the beneficiaries designated by the court. This in itself involves a degree of supervision as to regularity of payment.

(6) *Parole.* Parole is the conditional liberation of an individual under supervision, after a period of incarceration. If, however, the custodial institution in which the time of imprisonment was spent has not helped to train the prisoner in work-habits and in right social living, parole is not likely to have satisfactory results.

(7) *Probation and parole to pay fines.* Probation officers, when the court directs, collect fines in installments from probationers who would otherwise have to serve a jail sentence in lieu of fine, or from parolees released with the proviso that they pay their fines in installments.

(8) *Insolvency discharges.* This is the release after a period of imprisonment, under the insolvent debtors law, of individuals who have been fined and were not able to pay their fines.

Thus the entire aim of court action is to help the convicted man to make good and to keep after the man who will not or cannot do so. The probation officer can be used as the biggest factor in the scientific and humane administration of such a penal system. He makes investigations to aid the court in its decision, whether the decision is for fine, imprisonment or release, and supervises the conditionally discharged or freed men and women. The modern tendency of courts, exemplified in this court, is to stress re-adjustment with the aid of probation and parole officers rather than to stress punishment, except in cases of serious crimes. In Pennsylvania, judges may not use probation for certain serious crimes which are specifically excepted by law. These are: Murder, administering poison, kidnapping, incest, sodomy, buggery, rape, assault and battery with intent to ravish, arson, robbery, or burglary. Parole may be used for any offense, but that parole is limited by the minimum sentence which an offender must serve and which is fixed by the judge is the opinion of

most of the Pennsylvania judges. However, according to Judge Schaeffer, "The Berks County Court has always exercised the power to parole persons in our county prison who have been sentenced to a minimum and maximum sentence, even though the minimum sentence has not expired. In an opinion, now in the Advance Sheets, the Superior Court has recently decided that the Courts do retain the power to parole prisoners from county prisons at any time, even though the minimum sentence has not expired."

C. Dispositions Made of Adult Offenders in 1923 and 1925

A comparison of the 1923 and 1925 dispositions made in the Berks County Quarter Sessions Court is illuminating.

1923 Dispositions

During the year 1923 there were 821 adult offenders brought before this court, of whom 359, or 43.7 per cent., received no sentence. (See Table D, page 25). Of those offenders disposed of by the court through sentence, numbering 462, the largest number was that group of individuals on whom court orders for support were made, totaling 207, consisting of 2 adultery and bastardy cases, 15 fornication and bastardy cases, and 190 non-support cases; the next in order were those committed to custodial institutions, State prison, county prison, Huntingdon Reformatory, numbering 91. Sixteen of the 91 were later paroled by the judges; and 36 of them were discharged from county prison after serving a partial or full custodial commitment, as insolvent debtors, under the Act of May 6, 1887, P. L. 86. The percentage of offenders on whom court orders were assessed was 44.8 per cent. A table showing the method of disposition used including the per cent. distribution follows:

	Per cent. Distribution
Total	100.0
Court orders	44.8*
Fines and costs	20.1
Costs	3.9
Costs held over defendant as Surety of the Peace	2.4
Committed to prison, etc.	8.5
Suspended sentence	5.5
Probation with supervision	2.5
Bond	1.0
Paroled	3.5
Discharged insolvent	7.8

*On probation for collection of order only.

Thus, in 1923 there was a total of 462 individuals who were convicted by trial or plea of guilty; 371 who were convicted but received no custodial sentence; and 91 who were convicted and served either a full or partial term in prison or reformatory.

Table D.
Disposition of 1923 Cases in Quarter Sessions

Offense.	Total	DISPOSITIONS												NON-CUSTODIAL											CUSTODIAL		POST-CUSTODIAL Imprisonment followed by:	
		Not Sentenced																										
		Total	Costs Divided	Ignored Costs County	Ignored Costs Prosecution	Not Guilty Costs County	Not Guilty Costs Pros.	Not Guilty Costs Def.	No Disposition	Deferred	Dismissed	Nol Pros.	Total Convicted	Fines and Costs	Costs	Costs held over Def. as Surety Peace	Restitution and Fine and Costs	Restitution and Costs	Suspended Sentence	Sus. Sentence and Restitution	Court Order	Probation	Probation Fine or Costs	Bond	County Jail and Fine	Huntingdon Reformatory	Parole	Discharged Insolvent
Total offenders	821	359	25	36	24	55	12	13	43	2	92	57	462	87	12	11	6	6	21	5	201	9	8	5	35	4	16	36
I. Aggression personal group	114	77	16	17	13	4	5	4	2	1	4	11	37	19	5	...	1	...	3	...	...	...	...	...	2	..	1	6
II. Conduct personal group	34	27	...	...	1	3	...	...	5	...	1	17	7	...	1	...	...	...	...	...	...	1	...	4	1	..	..	..
III. Aggression sex group	18	8	...	1	...	5	...	...	2	...	...	...	10	2	...	...	...	...	...	...	...	...	...	...	8	..	..	..
IV. Conduct sex group	66	29	1	...	1	5	1	1	8	...	4	8	37	8	1	2	...	...	3	...	11	1	*6	...	5	..	..	..
V. Aggression family group	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	..	..	..
VI. Conduct family group	274	82	1	2	...	...	...	...	13	1	64	1	192	...	1	...	...	...	...	...	190	...	...	1	..	..	..	..
VII. Aggression property group	125	48	2	7	2	20	2	2	6	...	6	1	77	5	2	1	4	2	12	5	...	6	1	...	10	4	10	15
VIII. Conduct property group	62	47	1	5	4	8	1	1	5	...	5	17	15	...	...	3	1	4	2	...	...	...	...	...	1	..	..	4
IX. Highway offenders	30	13	4	...	...	...	...	4	1	...	2	2	17	7	1	4	...	...	1	...	...	...	...	...	..	..	..	4
X. Liquor	74	13	...	4	3	1	...	...	1	...	4	...	61	42	...	...	...	...	...	...	...	...	1	...	8	..	4	6
XI. Govt. and govt. regulations	7	4	...	...	...	4	...	...	...	...	...	...	3	2	1	...	...	...	...	...	...	...	...	...	..	..	..	..
XII. Homicide group	8	6	...	...	...	4	...	1	...	...	1	...	2	...	...	...	...	...	...	...	...	...	...	...	..	..	1	1
XIII. Miscellaneous group	9	5	...	...	...	1	3	...	...	...	1	...	4	2	...	1	...	...	...	...	...	1	...	...	..	..	..	..

*Also includes Court Order.

1925 Dispositions

During the year 1925, there were 1,037 offenders in the Quarter Sessions Court of Berks County (See Table E, page 27), 526, or 57.2 per cent, received no sentence. (Included in this figure, however, are 117 cases continued to March 1926 session and not yet disposed of at the time of the study. By deducting them from the figure representing those who were not sentenced, the number would be reduced to 409, or 39.4 per cent., which is slightly better than for the year 1923.) Of those offenders disposed of by the Court through sentence, numbering 511, the largest number was that group of individuals on whom court orders were assessed, totaling 257, consisting of 1 adultery and bastardy case, 13 fornication and bastardy cases, and 243 non-support cases; the next in order were those committed to custodial institutions, State prison, county prison, Huntingdon Reformatory, Philadelphia Protectory, etc., numbering 134. Ten of the 134 were later paroled by the judges; and 23 were discharged from county prison after serving a partial or full custodial commitment, as insolvent debtors under the Act of 1887. The percentage of offenders on whom court orders were assessed was 50.3 per cent. A table showing the method of disposition used including the per cent. distribution follows:

	Per cent. Distribution
Total	100.0
Court orders	50.3*
Fines and costs	7.2
Costs	1.2
Committed to prison, etc.	19.7
Suspended sentence	2.5
Probation	10.8
Bond	1.7
Paroled	2.0
Discharged insolvent	4.5

*On probation for collection of order only.

Thus, in 1925 there was a total of 511 individuals who were convicted by trial or plea of guilty; 377 who were convicted but received no custodial sentence; and 134 who were convicted and served either a full or partial term in prison, reformatory, etc. (See Chart, page 28.)

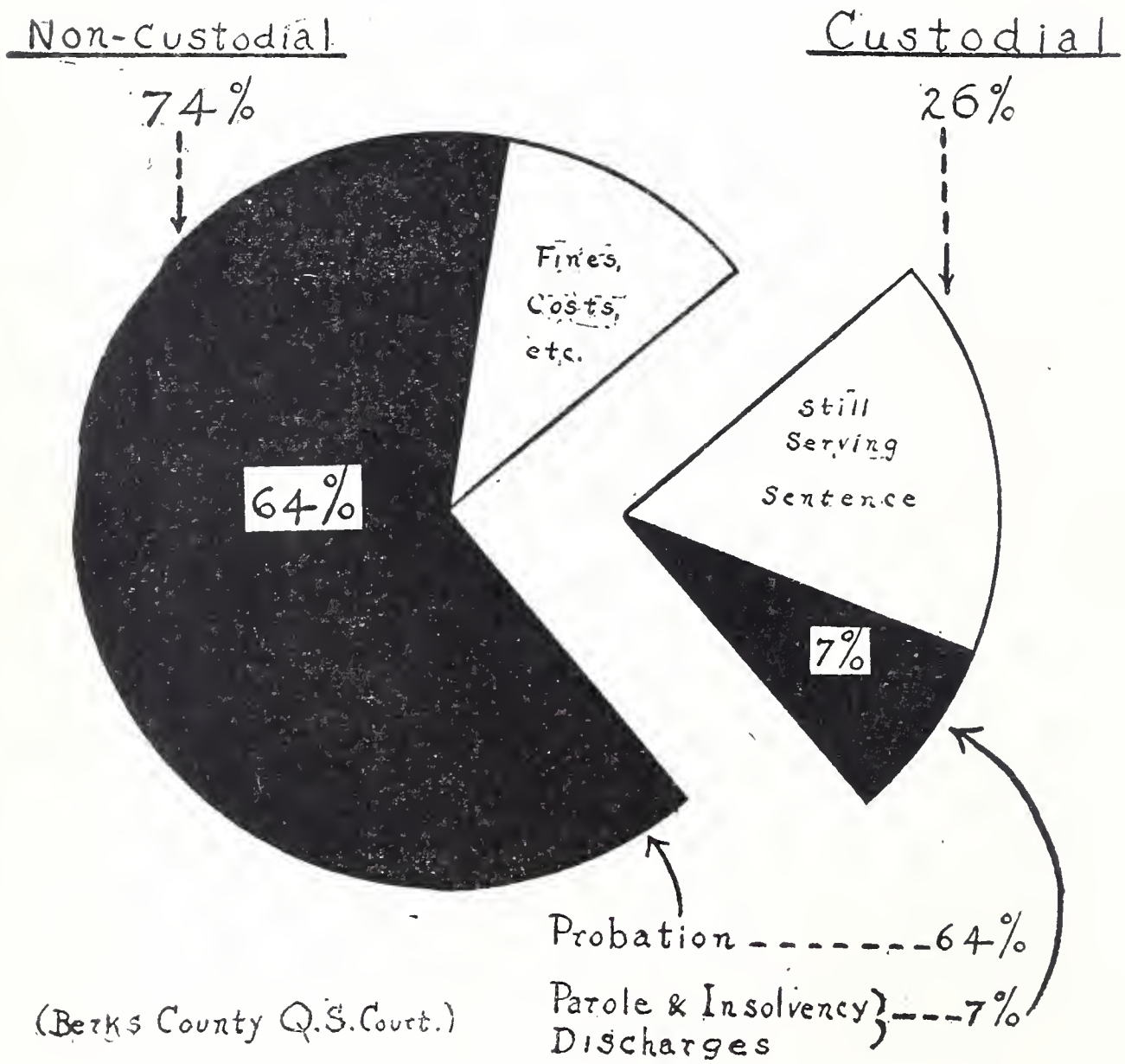
These figures present an index of the method of penal treatment of adults for the years 1923 and 1925 in Quarter Sessions Court.

Table E.
Disposition of 1925 Cases in Quarter Sessions

Offense.	Total	DISPOSITIONS													NON-CUSTODIAL										CUSTODIAL					POST-CSTDL. Imprsmt foll'd by	
		Not Sentenced																													
		Total	Costs Divided	Ignored Costs County	Ignored Costs Prosecution	Not Guilty Costs County	Not Guilty Costs Pros.	Not Guilty Costs Def.	Not Guilty by Direction	No Disposition	Continued March, 1926	Dismissed	Nol. Pros.	Total Convicted	Fines and Costs	Costs	Restitution and Fines and Costs	Restitution and Costs	Suspended Sentence	Sus. Sentence and Restitution	Court Order	Probation	Probation Fine or Costs	Bond	County Jail and Fine	Eastern Penitentiary	Huntingdon Reformatory	Allentown State Hospital	Philadelphia Protectory	Parole	Discharged Insolvent
Total offenders	1,037	526	16	83	28	49	14	11	2	55	117	121	30	511	36	5	1	1	11	2	[1] 246	8	* 58	9	84	8	6	2	1	10	23
I. Aggression personal group	123	100	3	32	10	5	4	...	...	3	35	2	6	23	7	...	...	...	2	...	...	2	2	...	7	...	...	...	...	...	3
II. Conduct personal group	40	31	1	...	...	...	1	2	...	...	...	27	...	9	1	...	...	...	...	...	...	...	...	6	...	...	...	...	...	1	1
III. Aggression sex group	27	17	1	3	2	...	...	...	...	...	11	...	...	10	1	...	...	...	...	...	...	...	1	2	6	...	...	...	...	...	...
IV. Conduct sex group	73	33	1	2	...	...	1	...	...	10	8	1	10	40	10	...	...	...	...	...	4	2	*17	...	7	...	...	...	...	...	...
V. Aggression family group	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
VI. Conduct family group	349	100	1	1	1	...	...	...	...	9	6	81	1	249	1	1	...	...	...	...	242	...	*2	1	1	1	...	...	...	...	...
VII. Aggression property group	170	78	2	12	7	15	...	2	...	12	23	2	3	92	5	1	1	...	4	...	...	2	25	...	21	7	6	2	1	5	12
VIII. Conduct property group	94	69	4	8	2	13	6	1	1	5	16	3	10	25	2	1	...	1	4	2	...	2	5	...	8	...	...	...	...	...	...
IX. Highway offenders	41	26	1	1	5	2	1	3	...	3	9	1	...	15	4	1	...	...	1	...	...	...	1	...	4	...	...	...	...	1	3
X. Liquor	104	64	2	21	1	13	1	3	1	12	6	4	...	40	5	1	...	...	...	...	...	...	2	...	29	...	...	...	...	1	2
Drugs	3	...	...	...	...	...	...	...	...	...	...	...	...	3	...	...	...	...	...	...	...	...	3	...	...	...	...	...	...	...	...
XI. Govt. and govt. regulations	5	3	...	1	...	1	...	...	...	...	1	...	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1
XII. Homicide	6	4	...	2	...	...	...	...	...	1	1	...	...	2	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	1	...
XIII. Miscellaneous group	2	1	...	...	...	...	...	...	...	...	1	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1

[1] In addition 11 men in Column marked *(Probation) were also given Court Order.

CUSTODIAL vs. NON-CUSTODIAL DISPOSITIONS - 1925
(Convicted Offenders)



(Berks County Q.S. Court.)

Table No. 5. Comparison of custodial and non-custodial treatment of offenders for 1923 and 1925

Year	Total individuals convicted by trial or plea of guilty		Convicted but received no custodial sentence		Served either a full or partial term in prison or reformatory	
	Total	Per cent.	Total	Per cent.	Total	Per cent.
1923	462	100.0	371	80.0	91	20.0
1925	511	100.0	377	73.7	134	26.2

Although an increase in the number of *commitments* for 1925 over 1923 is noted in every group of offenders with the exception of those convicted for Conduct Personal Crimes, Aggression Sex Crimes, Offenses Against Government and Government Regulations, and the Miscellaneous offense group, the increase in prison sentences is mainly accounted for by the increases in Aggression Property crimes (largely larceny and small breaking and enterings) and Liquor offenses. For these crimes the court seems to have been more severe.

Since the increase in the total individuals convicted in 1925 against those in 1923 is accounted for by the increase in the number of offenders in the Conduct Family Group, consisting largely of non-support and desertion cases and in which there was no custodial commitment in 1923 and only 2 in 1925, it would seem that a truer index of the method of penal treatment for the years 1923 and 1925 would be shown by eliminating the Conduct Family Group from the table given below. A table in which this group has been eliminated follows:

Year	Total individuals convicted		Convicted but received no custodial sentence		Served either a full or partial term in prison or reformatory	
	Total	Per cent.	Total	Per cent.	Total	Per cent.
1923	462		371			
	–192	(eliminate)[1]	–192			
	270	100.0	179	66.6	91	33.3
1925	511		377			
	–247		–247			
	264	100.0	130	49.0	134	51.0

[1] Eliminate Conduct Family group.

On this basis of reasoning therefore, the ratio of custodial care to other forms of treatment is increased from one in every three convicted offenders for 1923, to *one* in every *two* convicted offenders for 1925.

D. The Use of Probation in Making Disposition of Adult Cases

An analysis of those who were convicted but did not receive custodial sentence is shown in the following table:

	1923	1925
Total given non-custodial sentences	371	377
Costs	12	5
*Fines and costs	87	36—
Restitution and fines or costs	12	2
Suspended sentence	21	11
Suspended sentence and restitution	5	2
On bond	5	9
Probation with supervision	9	8
*Probation, fine and costs	2	58+
Probation—collection of support order only	207	246
Costs held over defendant as Surety of the Peace	11	0

*Fines and costs in 1925 show a decrease while probation for the collection of fines and costs shows a corresponding increase over 1923.

The court has been using the probation method for the collection of fines and costs to a greater extent than it did in 1923 for offenders accused of larceny, assault and battery, etc. The use of this more socialized method of treating petty offenders has not been followed by any untoward increase in delinquency. The court's increasing use of probation for adults has evidently been successful as far as it has gone. This is to be attributed to a careful selection of cases by the presiding judge.

Although probation for the collection of court orders or for the collection of fines and costs in installments is not probation in the strict sense, it involves enough supervision to see that the individual meets his obligation either to the court or to the family, thus fixing the responsibility either to the family or to the State. In the Berks County system, where the husband pays to the court in person and the court in turn pays the money collected to the wife, there is a very close contact between the court and the husband and also with the wife through the probation officers, who thus know when the family is not being supported properly.

IX. Offenders Brought Before the Court Charged With Violation of Family Relations

The serious problem in Berks County seems to be not that of the graver crimes but great numbers of cases involving family relationships, non-support, desertion, adultery, etc. It is a challenge to the efforts of the probation officers, the judges and the social workers.

(a) The Year 1923

During the year 1923 there were 292 offenders brought before the court charged with violation of family relations and disposed of by the court. These offenders comprise the entire Conduct Family group (chiefly

non-support and desertion cases) numbering 274, and 18 of the 66 Conduct Sex offenders (those charged with bigamy, adultery, adultery and bastardy). One hundred seventy-three men were charged with non-support of wives,* 7 men were charged with desertion, 49 men with desertion and non-support,* 6 men were held in surety of the peace charges in which the wife was the prosecutrix, 4 men were held on assault and battery charges in which the wife was the prosecutrix, 11 men were charged with non-support of their children, and 24 men and women were charged with non-support of aged parents. There were also 12 offenders charged with adultery, 4 with adultery and bastardy, 1 bigamy, and one with adultery, statutory rape and taking a female child under sixteen.

In 192 cases, or 65 per cent. of this entire group of offenders charged with violation of family relations, the court made orders for support; three men, or 1 per cent., were committed to county prison; and the remaining 6 convicted men, or 2 per cent., were fined, held on bond, or paid costs. Ninety-one men, or 31 per cent., were not sentenced. Not one offender was placed on probation *with supervision*, although 192 men pay their court orders to the probation officers.

(b) The Year 1925

During the year 1925, there were 358 offenders brought before the court charged with violation of family relations and disposed of by the court. These offenders comprise the entire Conduct Family Group (chiefly non-support and desertion) numbering 349, and 9 of the 73 Conduct Sex offenders (those charged with adultery, adultery and bastardy, and bigamy.) Two hundred thirty-eight men were charged with non-support of wives;* 3 men were charged with desertion; 21 men charged with desertion and non-support;* 6 men were held in surety of the peace charges in which the wife was the prosecutrix; 10 men were held in assault and battery charges in which the wife was the prosecutrix; 21 men were charged with non-support of their children; 49 men and women were charged with non-support of aged parents; 1 woman was charged with being a common scold and nuisance. There were also 6 offenders charged with adultery, 1 with adultery and bastardy, 1 abortion and bastardy, and 1 bigamy.

In 243 cases, or 67.8 per cent. of this entire group of offenders charged with the violation of family relations, the court made orders for support; 4 men, or 1 per cent., were committed to county prison and Eastern Penitentiary. One hundred four, or 29 per cent., were not sentenced. Only one offender was placed on probation *with supervision* and two to pay their fines, although 243 men pay their court orders to the probation officers. The remaining 4 convicted men, or 1 per cent., were fined, held on bond, or paid costs.

It can be seen that the great majority of adults placed on probation in the Criminal Court (the Quarter Sessions Court) are non-supporting husbands, who are only on suspended sentence to pay support orders.

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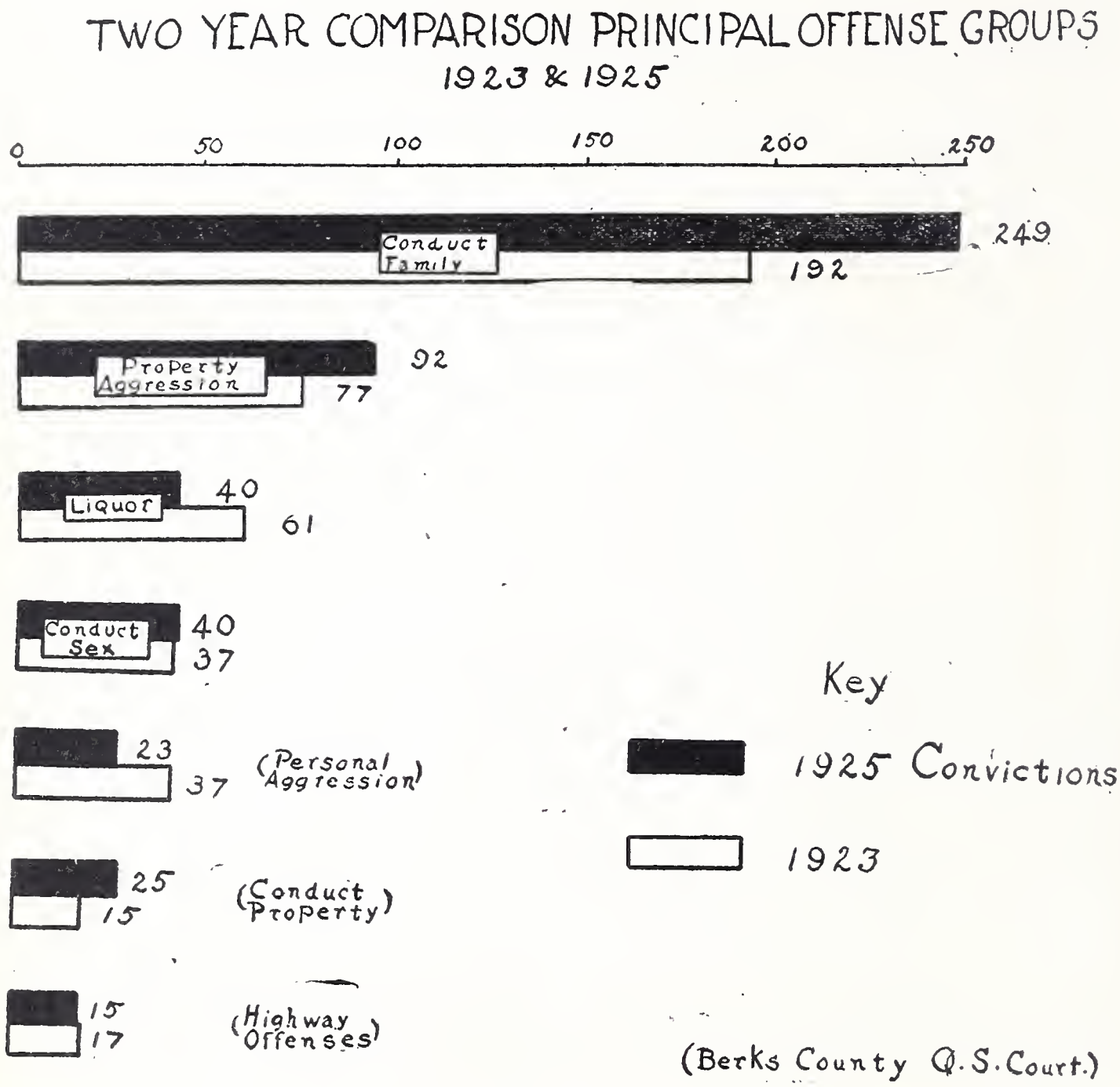
*According to Judge Schaeffer practically all cases involving husband and wife, where orders are made, are cases of non-support and desertion, despite the fact that they may have been designated as non-support alone.

A two-year comparison of principal offense groups shows that offenders who violate family relations, such as non-support, desertion, abuse of wife, threats to wife, head the list for both years, 1923 and 1925. (See Chart and Table which follow.)

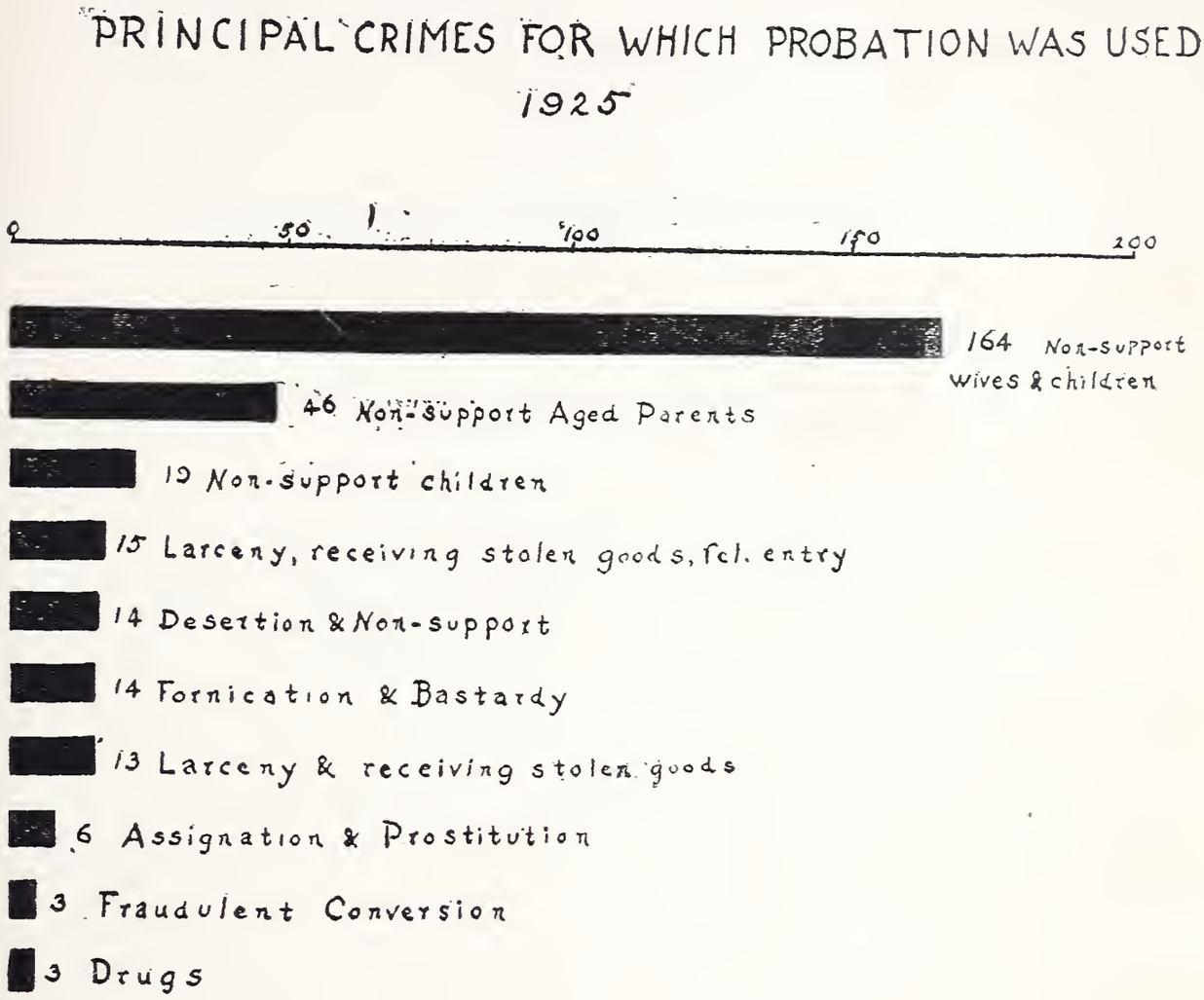


Two Year Comparison Principal Offense Groups

	1923	1925
Conduct family	192	249
Property aggression	77	92
Liquor	61	40
Conduct sex	37	40
Personal aggression	37	23
Conduct property	15	25
Highway offenses	17	15

More adults are placed on probation or on suspended sentence for these violations of family relations than for any other kind of delinquency. An examination of the records for the year 1925 shows this clearly. Pro-

bation for offenses in the conduct family group heads the list with 164 cases. Probation is largely used for the purpose of collecting support orders in such cases. (See Chart and Table which follow.)



Principal Crimes for Which Probation Was Used, 1925

Non-support wives and children	164
Non-support aged parents	46
Larceny, receiving stolen goods, felonious entry	15
Desertion and non-support	14
Fornication and bastardy	14
Larceny and receiving stolen goods	13
Assignation and prostitution	6
Fraudulent conversion	3
Drugs	3

The rising tide of non-support and desertion cases, and the successful effort made to collect support orders, is shown by figures supplied by the desertion probation officer showing collections:

Increase in Amounts Collected on Support Orders	
1923	$132,014.11
1924	147,712.48
1925	161,430.09
Total collected in 3 years	$441,146.68

The case load is, of course, cumulative, many of the orders being carried over a period of years. There, however, is a definite increase in the amounts collected which is not offset by the increase in new orders.

X. Treatment of Adult Offenders

A. Probation in Family Problems

Since the non-support cases make up the biggest group of cases of adult offenders in the Quarter Sessions Court, a study of the probation methods used is important. A study of the machinery for the handling of charges of non-support made by wives or of proceedings for the support of illegitimate children in fornication and bastardy cases and adultery and bastardy cases, reveals the organization to be as follows:

The information, as in all counties outside of Allegheny and Philadelphia, is made before a magistrate, after which the case is brought into the Quarter Sessions Court. No petition system is provided. The orders are made for the support of families and children in a non-support session. These hearings are held in a special court room, with an avoidance of as much formal procedure as possible. After the order is made it is turned over to a special probation department for collection. This probation collection department keeps an individual record of payments in each case, and keeps an account with each individual against whom an order is made. The system, as far as office collections go, seems to be one of the best and most successful in the State. It is very business-like and accurate, although there is no record of the percentage of successful collections. This, however, would be a difficult task and has never been worked out elsewhere in the State.

There is lacking at present proper preparation of the cases by what might be called "the case work method." There is insufficient preliminary investigation of complaints; and no preparation or diagnosis, either mental, medical, or social, of the causative factors involved in the non-support cases nor in other cases presented. It would be helpful to the court to have a system whereby each woman making a complaint could be interviewed privately, and the man also be interviewed with supplementary home visits by the probation officer, in order to get such additional information concerning home conditions, health, mental conditions, wages, work habits, etc., as would be helpful to the court in diagnosing the difficulty.

In the Juvenile Court a system of co-operation has been built up with the justices of the peace and aldermen so that all cases are reported to the probation department. This might be worked out in non-support and other cases involving court orders until such time as legislation can be obtained by which cases would go to the court directly instead of by way of the local magistrates.

There is no registration of the non-support cases, so that the court could know what the other social agencies know about the family problems involved. No system of exchange of information between the juvenile court and the non-support court has been worked out. This is important, since very often a family known to the Juvenile Court comes before the non-support court for an order. A home that is not properly supported often reveals delinquency of children or youthful members of the family.

A further suggestion in this connection would be the development of employment work with non-supporting husbands, so that the court could keep a register of employment resources and help non-supporting husbands obtain work when they are not employed in order to pay their court orders. This would be helpful to the court in maintaining contacts with employing firms so that the court could obtain information concerning wages and remuneration of men against whom it purposes to assess court orders.

The experience of the family agencies of Reading and elsewhere should be used for developing methods of case-work in connection with the family problems that come to the court. The social agencies co-operate with the court by referring cases, the judge considers the point of view of the social agencies, but there is little contact between the desertion probation officers and the agencies.

B. Probation of Adults. (In Other Than Family Problems.)

The machinery for adult probation, still in the primitive state of evolution everywhere in Pennsylvania, is much less developed in Berks County than the machinery for non-support cases. The court decision is based not on investigation made after conviction and prior to sentence, but largely on the examination of witnesses and the hearing of evidence. No probation officer has the function of obtaining information for the court as to whether or not *probation is suitable*. If the probation officers were given the task of making preliminary investigations *before* probation is decided upon, it would be an aid to the court. It would then be possible to provide for medical and psychological studies of individuals, who are about to be placed on probation so that *unsuitable* individuals would not be given probation. Judge Schaeffer, the President Judge, rightly thinks that obtaining employment for probationers should also be a great factor in the probation service for adults. There should be co-operation with the other social agencies in the handling of these cases.

The number of adults placed on probation is comparatively small. The main use of probation seems to be for the collection of fines and court orders. This is useful provided that the collection of fines is used at the same time as a means for re-establishing the individual in society.

C. Collections from Probationers of Orders in Non-Support Cases, Children's Cases, Adults' Cases

Money collections for the court are now made in a number of places: (1) Desertion probation office; (2) office of the man probation officer dealing with juveniles and adults; (3) Controller's office. It would seem advisable to centralize all money collections from probationers. All money payments might be made in the one office, whether they are for support, fines, costs or restitution; or centralization might be made in two places, one office for fines, another for orders, etc. It would appear to be the best plan not to allow probation officers who do field work to do the actual collecting of money, but only make them responsible for help in making collections more prompt when the probationer is at the same time under supervision of the probation officer for a conduct problem. When the probation officer who supervises cases becomes a collector, probation work is apt to be put in the background. To relieve the adult probation officer of the work of making collections would enable him to concentrate on investigation and supervision and would develop an effective system. It would be, however, a proper function of the probation officer to investigate the probationer's ability to pay when he gives lack of employment, absence of available funds, or illness as an excuse.

D. Custodial Care in the County Prison

The county prison is in the City Park. It is an ancient structure with a central corridor and is built in the shape of the letter T. There are two tiers in the main corridor and in the transept. A row of five cells in the transept called the "bum" cells are used for vagrants. The eighty cells in use for men are fairly roomy. In addition there are five cells for women. Some of the cells are used for storage. The prison is overcrowded. It is necessary to double up because of limited space and at times there are three men in a cell.

Women and men are not in separate buildings or in separate parts of the same building. No men except the "trusties" are allowed in the corridors.

Women Inmates

Five cells in the upper tier are reserved for women. Three are on one side of the corridor and two on the other. These cells are blind cells so that there can be no communication between men and women. There is a matron for the women. There is a sewing room in which the women make up garments and do rough sewing. Complete day and night service by a matron and outdoor exercise comparable to that given the men, are lacking.

Prison Work

The weaving and warp rooms, in which the men work, are in separate buildings. The only work in the prison, except the domestic work connected with maintenance, is that of weaving rag rugs, many of which are sold. The men who work are grouped as follows:

Weaving room	8 to 10 men
Warp room	3 "
Domestic service:	
front corridor	3 "
rear corridor	3 "
potato cellar	2 "
bake shop	1 "
kitchen	1 "
Boiler room	3 "
Green house	1 "

Some of the men also do bead work but that depends on the individual men who have been taught to do the work by former prisoners. The men sell their own bead work.

Summer Work Outside the Prison

During the summer the men are divided into five gangs, distributed in the following manner:

New home for State Police, foundations, roads and walks	6 to 8 men
Bridge gang	12 to 15 "
City work: roads	8 "
city streets	10 "
Neversink Sanatorium, roads	5 to 6 "
County farm	8 to 10 "

The Berks County Commissioners and the authorities of the City of Reading are to be congratulated on their successful use of prisoners for road-work. It is one of the most extensive and successful efforts being made in the State of Pennsylvania in this direction.

Approximately 75 per cent. of the convicts, or 60 per cent. of the total inmates were employed.

Religious Services

The prison has a paid chaplain who holds services on Mondays. At present there is no service on Sundays, but this is to be changed. The chaplain will hold services on alternate Sundays and the Ministerial Association on the other Sundays.

Exercise of Prisoners and Recreation

The men are given exercise in the prison yard three times a week for one and a half hours, going to the yard in groups; they also participate in calisthenics three times a week for one and a half hours. A baseball team plays for the men. There had been a full prison orchestra of nine men, but there are only six at present since no additional men in prison are equipped to join the orchestra. The orchestra plays three times a week.

Prison Needs

No successful penal treatment looking to the rehabilitation of the prisoners can be carried out in this gloomy, depressing institution which lacks all facilities for modern penal treatment. The superintendent does the best he can, under the circumstances. There is an effort being made by a group of citizens to obtain a new prison, a prison farm outside the city limits. The president judge of the county is a leader in this effort. The Prison Economy Committee is also active. The building equipment is poor. The prison board is elected by popular vote and is apt therefore to be influenced from time to time by politics in its management and in its personnel. Prisoners paroled from this institution have had no training, either through discipline, work, or vocational equipment that might benefit them economically after they leave or prepare them for a new effort at good citizenship.

County Prison Statistics for 1925

Total prisoners	1,983
Aggression personal:	
Assault and battery	125
Aggravated assault and battery	28
Carrying concealed deadly weapons	8
Felonious assault	4
Kidnapping	1
Conduct personal:	
Begging	46
Corner loafing	4
Disorderly conduct	87
Disorderly house, frequenting	38
Drunkenness	135
Drunk and disorderly	231
Drunk and begging	22
Gambling	9
Surety of the peace	115
Vagrancy	29
Aggression sex:	
Rape	6
Statutory rape	3
Sodomy	9
Conduct sex:	
Adultery	13
Assignation and prostitution	3
Bigamy	6
Fornication and bastardy	18
Fornication	8
Bawdy house	13
Inmate bawdy house	23
Indecent exposure	2
Indecent assault	7

Conduct family:	
Non-support	68
Desertion	3
Aggression property:	
Arson	2
Burglary	9
Highway robbery	8
Forcible entry	10
Forcible entry and larceny	30
Larceny	125
Malicious mischief	20
Receiving stolen goods	2
Robbery and attempt to rob	10
Trespass	4
Trespass, railroad	254
Pickpocket	7
Conduct property:	
Board bill	10
Check	11
Embezzlement	14
False pretense	21
Fraudulent conversion	46
Forgery	14
Larceny by bailee	8
Highway offenses:	
Operating auto while intoxicated	38
Operating auto without consent of owner	3
Operating auto without license	1
Liquor violations	96
Offenses against Government or Government regulations:	
Extortion	4
Fugitive from justice	4
Perjury	3
Impersonating officer	1
Violation Game Law	1
School Law	1
Drug Law	1
Bail piece	7
Homicide:	
Murder	3
Manslaughter	6
Other offenses:	
Capiases	124
Refusing to pay fare	3
Suspicion	11

Table No. 6. **Age groups of inmates of Berks County Prison, 1925**

Total prisoners	1,983
Ages:	
16 to 20 years	244
20 to 30 years	646
30 to 40 years	511
40 to 50 years	312
50 to 60 years	208
60 to 70 years	46
70 to 80 years	14
80 to 90 years	2

The age group 20 to 30 years is the largest. Almost 50 per cent. of the entire prison population was between the ages of 16 and 30 years.

The movement of the population of the Berks County Prison for the year 1925 is shown by the following statement:

Number of prisoners in County Prison Dec. 31, 1924	110
Number of prisoners admitted during 1925	1,983
Total prisoners confined during 1925	2,093
Removed to Eastern Penitentiary	10
Huntingdon Reformatory	5
House of Good Shepherd	7
Army	2
Boys' Home	1
Asylum	11
Glen Mills	1
Other jails	5
Released by acquittal at court	139
Quarter Sessions	74
Expiration Commitment	615
On or after hearing	199
On withdrawal of suit	84
Own recognizance	9
On bail	381
Payment of costs	272
Pardoned	2
Paroled	38
Escaped Constable	1
Escaped road gang	1
Died	2
Electrocuted	2
Convicts discharged	69
Remaining in Prison Dec. 31, 1925	152
	2,093

Of the 152 individuals remaining in county prison December 31, 1925, there are:

Convicts	114
Summarily convicted	15
Awaiting trial	16
Non-support	7
	152

E. Parole of Adults and Insolvent Discharges

At present there is no adult parole supervision, since there is no adult parole officer. The Berks County Prison is not equipped to prepare prisoners for parole because of lack of employment facilities, common to all county jails in Pennsylvania, and lack of educational facilities also common to all such jails. The hope of the parole work of the county lies in the removal of the prison to the country where proper employment may be given to prisoners and proper preparation for parole by an improvement in the prison management, stressing industrial work and training for parolees.

Discharge or release before the completion of the prison term is made under the Parole Acts of the State and also the Insolvency Act of May 6, 1887, with its amendment, by which a prisoner is discharged insolvent when he cannot pay fines and costs. This procedure in Berks County is on petition of the Prison Solicitor of the Prison Board. This method serves no particular social end in the rehabilitation of a prisoner nor does it fit him for life in society, because there is no parole officer to do follow-up work with such discharged prisoners. Judge Schaeffer feels that it is useful to commit certain prisoners for failure to pay fines or to commit them when the court knows that the prisoner can pay the full amount of the fine and refuses to do so. The Insolvency Act is then used as a means of obtaining a diminution of punishment for those who might otherwise be unjustly detained. It might be more business-like to have investigations of the resources and the ability to pay in all such cases made by a properly equipped parole officer.

Under the present system a prisoner, if his petition is not presented through the Prison Solicitor and he desires a parole, it is customary for him to have an attorney file his petition for him. This is an expense to the prisoner. If there were a regular parole officer, the parole officer could prepare reports for the court concerning prisoners who were ready for parole and whom it would be advisable to parole. The intervention of the lawyer could be eliminated and the attendant expense to the prisoner.

Of those committed to the County Prison by the Quarter Sessions Court of Berks County in 1923, numbering 87, sixteen, or 18 per cent., were paroled up to March, 1926, when the study was made.

Of those committed by the Quarter Sessions Court in 1925, numbering 117, ten, or 8 per cent, were paroled. However, there was a total of 38 paroled during 1925, of which number 28 had been committed prior to 1925.

Tables Nos. 7 and 8 show the percentage of sentence served by the prisoners who were paroled or discharged insolvent.

Table No. 7. Showing number of individuals committed in 1923 and paroled or discharged insolvent up to time of study, March, 1926, in Quarter Sessions Court, Berks County

Committed in 1923.	Number Paroled	Percent. Distribution	Discharged Insolvent	Percent. Distribution
Total	16	100.0	36	100.0
I. Served 100% of sentence[1]	13	81	13	36
1. Served from 40 to 49% of sentence	1		..	
2. Served from 50 to 59% of sentence	8		..	
3. Served from 60 to 69% of sentence	3		4	
4. Served from 70 to 79% of sentence	1		2	
5. Served from 80 to 89% of sentence	..		5	
6. Served from 90 to 99% of sentence	..		2	
II. Served 100% of sentence[1]	3	19.0	18	50
III. Served more than full sentence[1]	..	..	5	14.0
1. Served 101 to 150% of sentence	..	..	4	
2. Served more than 150% of sentence	..	..	1	

Table No. 8. Showing number of individuals committed in 1925 and paroled or discharged insolvent up to time of study, March, 1926, in Quarter Sessions Court, Berks County

Committed in 1925	Number Paroled	Percent. Distribution	Discharged Insolvent	Percent. Distribution
Total	10	100.0	23	100.0
I. Served less than full sentence	4	40.0	4	17.0
1. Served from 20 to 29% of sentence	1		..	
2. Served from 50 to 59% of sentence	2		..	
3. Served from 80 to 89% of sentence	1		1	
4. Served from 90 to 99% of sentence	..		3	
II. Served 100% of sentence[1]	3	30.0	8	34.0
III. Served more than full sentence[1]	..	..	8	34.0
1. Served 101 to 150% of sentence	..		4	
2. Served over 150% of sentence	..		4	
IV. Time served not ascertained	3	30	3	15.0

[1]The prisoners were not regularly discharged at the expiration of sentence because their fines or costs were still unpaid.

Under the laws of the State of Pennsylvania prisoners may be detained in county prison in lieu of fine when they refuse to pay the fines or have not the money with which to pay. A $15.00 fine is served out by 30 days in jail. The maximum period of detention is three months.

Probation, Parole, Discharged Insolvent Compared

When we compared the use of probation with parole or with discharges for insolvency, we discovered that as between the years 1923 and 1925, there is an increase in the use of probation over the other methods:

	1923	1925
	Per cent.	Per cent.
Probation	53	64+
Parole	4	2—
Discharged insolvent	8	5—

This may be explained by a greater use of probation as compared with custodial care, since parole and discharge insolvent imply a prior incarceration. It was the custom of the judges who preceded the present judges to prefer the use of parole or fining with a subsequent discharge as insolvent to the use of probation. The present judges try to use probation in *deserving* cases in order to avoid the stigma and violent social maladjustment that is entailed in prison sentences. Judges are usually reluctant to use probation for adults. However, the judges in Berks County are developing the use of probation for adults in carefully selected cases and plan to expand the probation staff to include an officer whose task it will be to supervise adult probationers and also liberated prisoners who have served a partial sentence and have been paroled.

XI. Juvenile Division of the Quarter Sessions Court

A. Method of Disposing of Children's Cases

A comparative study was made for three years, 1923, 1924 and 1925, of the method of disposing of children's cases in the Berks County Court.

A total of 249 cases were studied for the three years, involving 105 girls and 144 boys. In the tables which follow the children's cases listed for hearing are classified according to whether they were delinquent, incorrigible, dependent, neglected, and according to combinations of incorrigibility and neglect, delinquency and neglect, etc., with the per cent. distribution for the three years for each classification. Table No. 10 also shows the number for each year in the classifications just mentioned who were placed on probation and the number who were given other dispositions.

Table No. 9. Children's cases listed for hearing in the Juvenile Court of Berks County, in 1923, 1924 and 1925 showing number placed on probation

All Cases: ..... Year	Total	Delinquent	Incorrigible	Dependent	Neglected	Incorrigible Neglected	Dependent-Neglected	Delinquent-Neglected	Delinquent-Dependent	Delinquent-Incorrigible
1923, 1924, 1925.....	249	164	25	5	1	3	23	14	4	10
Per cent. distribution	100.0	66.	10.	2.	.4	1.2	9.2	5.6	1.4	4.
1923	60	41	7	1	1	3	2	5	..	..
1924	85	56	9	..	..	..	3	9	2	6
1925	104	67	9	4	..	..	18	..	2	4
Probation:	107	84	5	1	..	2	4	6	1	4
1923	32	2* 23	* 1	1	..	2	1	2	..	..
1924	38	1† 27	2	..			1	4	..	3
1925	37	2* 29	2				‡ 2	..	1	1
All Other Dispositions:	142	80	20	4	1	1	19	8	3	6
1923	28	16	6	..	1	1	1	3	..	..
1924	47	28	7				2	5	2	3
1925	67	36	7	4	..	..	16	..	1	3

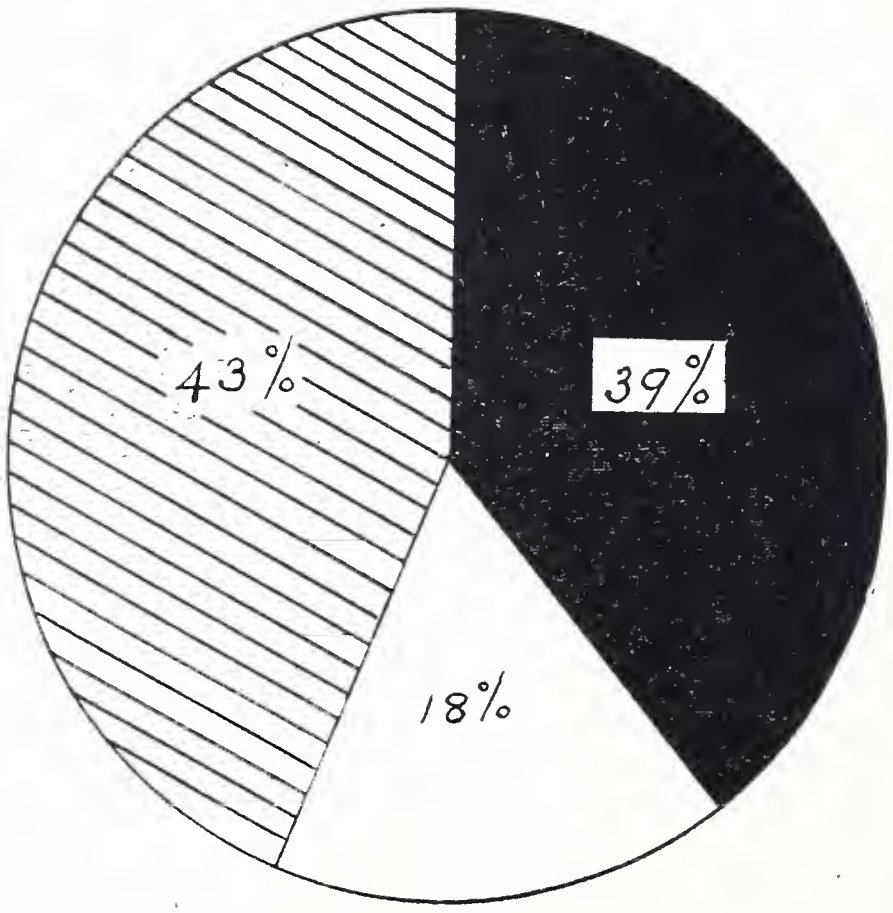
* Later committed to institutions.
† Probation to C. A. S. until home is found.
‡ Family on probation.

Table No. 10. Children's cases listed for hearing in Juvenile Court, Berks County, in 1923, 1924 and 1925

	Total	Delinquent	Incorrigible	Dependent	Neglected	Incorrigible Neglected	Dependent-Neglected	Delinquent-Neglected	Delinquent-Dependent	Delinquent-Incorrigible
Total	249	164	25	5	1	3	23	14	4	10
PLACED ON PROBATION..	107	84	5	1	..	2	4	6	1	4
ALL OTHER DISPOSITIONS	142	80	20	4	1	1	19	8	3	6
Institutional care ..	98	60	15	2	..	..	9	3	3	6
Order on father....	2	2	..	..	..	..	..	..	..	..
Placed with relatives and friends ...	4	1	..	..	1	..	..	2	..	..
Children's Aid Society	9	..	..	..	..	1	7	1	..	..
Order increased	1	..	..	1	..	..	..	..		
Released to father..	2	..	..	..	..	..	..	2		
No action	26	17	5	1	..	..	3	..	..	..

From the dispositions for the three years, it will be noted that the number of children placed on *probation,* 107, is 43 per cent. of the total number listed for hearing, 249, and is slightly higher than the number of children committed for institutional care, 98, or 39 per cent.

PROBATION FOR CHILDREN vs. INSTITUTIONAL CARE
1923, 1924, 1925



Probation 43%
Committed to Institutions 39%
All Other 18%

(Berks County.)

From the following statement, showing institutions to which the children were committed, it will be noted that almost *one-half of the total number of commitments were made to the Boys' Home,* while 15 per cent. were to Beulah Anchorage, 13 per cent. to the House of Good Shepherd, and 11 per cent to two protectories.

Institutions to which children were committed from Juvenile Court, Berks County, 1923, 1924 and 1925

	Total	Delinquent	Incorrigible	Dependent	Dependent-Neglected	Delinquent-Neglected	Delinquent-Dependent	Delinquent-Incorrigible
Total	98	60	15	2	9	3	3	6
Beulah Anchorage	15	9	1	..	1	2	1	1
Boys' Home	42	22	9	1	5	1	1	3
Sleighton Farms	5	4	..	..	..	..	..	1
House of Good Shepherd	13	10	1	1	..	..	..	1
Huntingdon Reformatory	1	1	..	..	..	..	..	..
Philadelphia Protectory	9	6	3	..	..	..	..	..
St. Joseph's Protectory	2	2	..	..	..	..	..	..
Glen Mills	4	3	1	..	..	..	..	..
Jonestown Church Home	1	1	..	..	..	..	..	..
Homeopathic State Hospital (Allentown)	1	1	..	..	..	..	..	..
Salvation Army Maternity	1	1	..	..	..	..	..	..
St. Catharine's Orphanage	3	..	..	..	3	..	..	..
Sheltering Arms	1	..	..	..	..	..	1	..

The probation department makes investigations for the judge before he makes a disposition, whether it be dismissal, an institutional commitment, release on probation or discharge from an institution. The probation officers visit children in their homes regularly, keep in touch with their schools, teachers, employers, families and help them in their leisure time and recreational life. Investigations are made carefully, the information possessed by the social agencies is utilized, and plans for adjustment are carried out in common with other social agencies. The members of the probation staff dealing with children try to do a good social work job. The case-work method is used. This cannot be said to be true of the work with adults and non-support and desertion cases.

The handling of children's cases by the Juvenile Division of the Quarter Sessions Court is well established and has been consistently developed and improved in the past few years, due to the interest of the President Judge in this branch of the work. It was necessary to over-

come a very serious handicap of years past when there were no records nor proper supervision, when the emotional and religious approach was overstressed, and case-work and medical and psychological diagnosis was lacking. A record system is now being rapidly built up. Case stories that are clear appear often in the records, and good co-operation with private social agencies is an outstanding feature of the work. The Social Service Exchange is used for registration and the resources of the community are used by the Juvenile Division as an aid to case-work.

It is especially noteworthy that standards are being maintained in dependency cases. They are not considered by the court unless neglect is involved, thus limiting the work of the Juvenile Division to its logical function, that of dealing with incorrigible, delinquent and neglected children. Medical diagnosis is used in venereal cases. Mental diagnosis, however, could be more adequately used. Part of the limited use of mental diagnosis may be due to the lack of clinical facilities. The Welfare Federation of Reading recognizes the lack of clinical facilities and is making plans to provide better service for the community.[1]

The preparation of cases for court and preliminary investigation by the probation officers is more usual in girls' cases than in boys' cases. This may be due in part to the fact that the cases are now being presented to the court by petition through the district attorney and *not* through the probation officer. If the probation officer received the petitions originally, there would be more time for complete preparation of both boys' and girls' cases.

Supervision is regularly carried on by home visiting and actual contact with the children, and is worthy of particular mention.

Detention facilities are little used, since children are allowed to remain in their own homes until the hearing. This sets an example to other courts in the State who have a juvenile docket of the same size, but seem to find it necessary to use detention houses to a great degree. Some boys are detained in the Boys' Home and some girls in Beulah Anchorage. It seems that these children, when so detained, are not separated as they should be from the other children in these institutions, who are not held because of delinquency. Possibly more segregated facilities for detention should be provided, but this problem has not been adequately studied.

The community spirit of the Juvenile Court is very good. It limits its work to those problems that logically belong to the court, and does not attempt to deal with the problems of children generally, as is the case in many communities where the court has not learned to organize its service as has the juvenile court here. This is largely due to the social vision of the President Judge, effectively aided by the practical common sense of his chief juvenile probation officer.

However, if the arrangements were made to allow petitions for children to come to the probation department *exclusively,* there would be opportunity to make informal adjustments of delinquency problems before

[1]A mental clinic has been organized recently by the Welfare Federation.

they had become too grave, at a time when informal adjustment was still possible. It would also enable the probation department to make early contacts for medical and mental examinations and for social investigations.

B. Juvenile Court and Children's Institutions in Berks County

Visits were made to the Boys' Home and to Beulah Anchorage, used both for detention pending hearing and for custodial care. The outstanding defect in their operation appears to be a lack of segregation between different classes of children detained there: Delinquent, incorrigible, dependent, dependent-neglected, delinquent-neglected, delinquent-dependent and delinquent-incorrigible. It would be an improvement to separate the children detained for hearing from the rest of the children in the institutions. The Boys' Home and Beulah Anchorage both have a kindly management, but the management does not seem to be modern or progressive. In the Boys' Home it was noticed that boys were allowed to remain up too late and worked very late at night. No regulation of intake is apparent in these institutions. There seems to be a disposition to take any or all kinds of children who need protection, whether or not proper and suitable care can be given them. A formulation of what the function of these institutions should be in the community and a case study of each individual child admitted would help these institutions give the best service to the children and the community.

No study, however, was made of the work of these institutions, and it is suggested that such a study be made by a competent child welfare organization.[1]

Note—Judge Schaeffer advises that all purely dependent children have been taken out of the Boys' Home since the making of this report, and that the matter has also been taken up with Beulah Anchorage authorities.

XII. Work of the Berks County Court and Its Relation to Family Life and the Community

Since so many of the problems brought to the court are family problems: non-support, desertion, family abuse, adultery, cases of delinquent, incorrigible and neglected children, a special study was made of all cases in which family life was involved to show their significance as community problems. This study was made with the help of the Social Service Exchange. The cases were registered to determine what other problems in these families had been dealt with by the social agencies of the county.

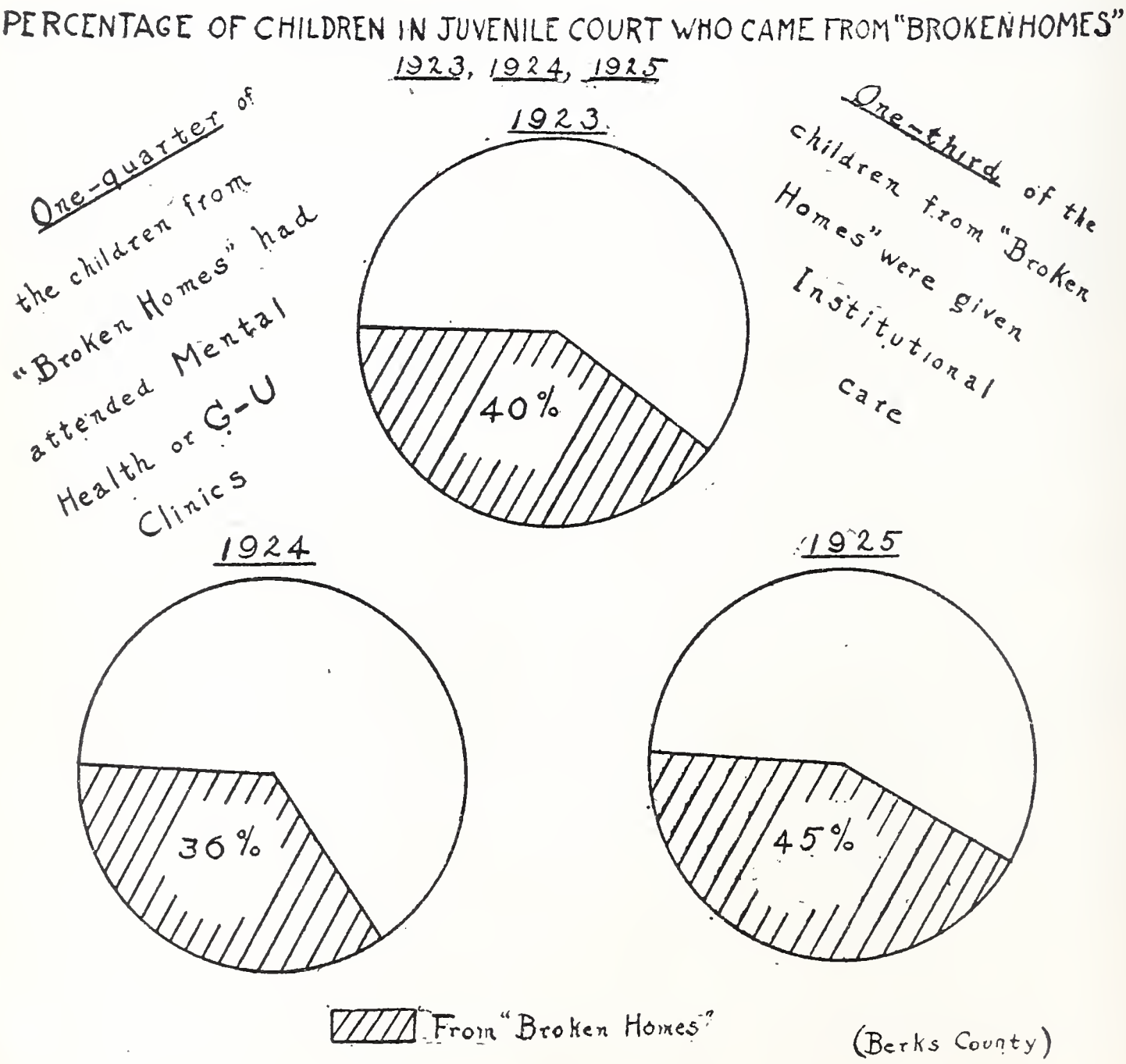
Juvenile delinquency, incorrigibility and neglect, as a community problem and its relation to the "broken home" as revealed in the court's

[1]This study has been made recently.

work is demonstrated by information obtained in juvenile court cases from the Social Service Exchange:

> In 1923, 40 per cent. of the juvenile court cases came from "broken homes," of which 41 per cent. were known to social agencies; in 1924, 36 per cent. of the juvenile court cases came from "broken homes," of which 32 per cent. were known to social agencies, and in 1925, 45 per cent. came from "broken homes," 76 per cent. were known to social agencies. The average for the three years is 41 per cent. from "broken homes," of which more than half (56%) were known to social agencies. (A "broken home" is a home in which there is no mother or father, or both are lacking, or in which there is a step-father or step-mother.)

The importance of probation social work is apparent when we learn that at least two out of every five juvenile court children came from "broken homes."



It is illuminating to discover the extent of the health and mental problem cases as revealed in the clearance of these cases through the Social Service Exchange:

Twenty-four per cent of the children's cases coming from "broken homes" were registered by the Mental Health Clinic or State Genito-Urinary Clinic.

Almost one-quarter of the total non-support cases in the Quarter Sessions Court in 1925 were known to social agencies; thirty-four per cent. of these were registered by health agencies and forty-three per cent by family agencies.

This study shows very clearly the need of having non-support and juvenile cases, both of which involve family and community life, go through the probation department before presentation to the court as an aid to decision. This preliminary investigation and study will also be helpful to the court in making decisions after conviction and before disposition. The methods used by the juvenile probation officers should be extended to the desertion department.

Comparison of family and health registrations for Juvenile Probation cases and those Not on Probation

	Family Agencies	Health Agencies
The 85 children placed on PROBATION by the Juvenile Court were registered....	19 times	47 times
whereas		
The 120 children NOT placed on Probation were registered	52 times	71 times

The statement shows that while the Social Service Exchange registered the probation cases only 19 times for family agencies and 47 times for health agencies, for those not on probation the registrations are 52 for family agencies and 71 for health. Since the proportion of registrations for family agencies is so slight for probation cases as compared with those not on probation, can this be interpreted to mean that the court workers are doing for the probation cases what the family agencies are doing for the cases *not* on probation? or does it mean that the health problem is bigger or is stressed more?

It would seem, also, to indicate that when the court had occasion to take children away from their homes, the family problem as indicated by the number of registrations was more serious. This may indicate a measure of good case-work in removing only children from homes where there was a serious family problem, as indicated by the experience of other social agencies with the family.

The adult sex offender is also a community problem and a disrupter of family life. An examination of the social service registrations showed that 34 per cent. of the cases of sex offenders were already known to private social agencies; that almost half of the registrations were made by health organizations, composed largely of Genito-Urinary and Mental Health

Clinic registrations, and approximately 20 per cent. were made by family agencies.

The man in prison leaves behind him a family problem for the community. Thirty-five per cent. of the individuals, who petitioned for parole or other form of release before their terms expired in the county prison, were registered by health, family and children's agencies.

Summing up the information obtained by the study made in co-operation with the Social Service Exchange of the Welfare Federation we learn that:

1. Every other child coming to the juvenile court was already known to some social agency.
2. One in every four non-supporting husbands or fathers had families whose problems had already come to the attention of the community through some social agency.
3. One in every three adult sex offenders was known to some medical or social agency.
4. One of every three men discharged from prison as a parolee or as an insolvent had families whose problems fell upon the social agencies of the community before the bread-winners went to prison, or while they were in prison, or after they came out.

The interest of the social agencies in the juvenile cases should be extended to non-support, adult delinquency and sex problem cases since the files of the Social Service Exchange indicate these cases are just as disruptive of social and economic stability.

XIII. Recommendations

Based on the study of the cases and an analysis of methods used, the following recommendations are suggested to the President Judge for his consideration:

1. *The Probation Department* of the court should be enlarged and the case-work method extended to adult cases, non-support and desertion cases, and to parolees.
2. *A Chief Probation Officer* should be appointed to co-ordinate all *case-work.*
3. *Diagnosis and Complaint.* The establishment of a joint department of diagnosis and complaint for all juvenile, non-support and sex cases, where the case-work shall be begun in the probation officer's office. The staff might consist of one interviewer, preferably a woman, since most of the cases will be women and children. This department to make all contacts for social, mental and medical investigations, and to clear all cases through the Social Service Exchange of the Welfare Federation. The Judge to call upon this department for investigations in all adult cases where he desires data on which to base his decision.
4. *Supervision.* A probation officer to supervise women, girls and small boys; a probation officer to supervise boys and youths, to make employment investigations and to obtain employment for probationers.

5. *Adult probation and parole officer.* To supervise youths and men on probation and parole, to follow up money collections when requested by the Department of Accounts, and to make investigations of financial resources of probationers who are required to pay fines or make restitution, and parolees or prisoners discharged as insolvent who are expected to make restitution or pay fines or costs.

Note:—On July 1, 1927, Mr. Harry Gilbert was appointed as a probation and parole officer to supervise youths and men who are placed on probation or who are released on parole. He likewise makes investigations of defendants, when directed, before sentence is passed. Mr. Gilbert has had a long experience in the United States Army as a non-commissioned officer and a commissioned officer, and has been interested in Boy Scout and religious work in Reading.

6. *Department of Accounts.* The establishment of a Department of Accounts for the collection of support orders, fornication and bastardy orders, and all money collections of fines or costs.

(It might not be advisable to have all collections in one department because of local or county conditions.)

In conclusion it should be pointed out that the judges have always regarded the problems of the clients of the courts, whether they are those of adults or of children, as the social problems of the community to be dealt with through community co-operation. The social forces of the county and its communities have for their part given the judges their heartiest co-operation. The judges, as administrators of the courts, and the managers and executives of the civic and social agencies, have been inspired by a broad social vision which has made possible a modern and adequate program for dealing with adult offenders and with children who come before the courts of Berks County.

LEON STERN,

Secretary, Research and Field Studies.